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**A FRENCHMAN LOOKS AT
THE PEACE**

A Frenchman Looks at the Peace

By

ALCIDE EBRAÏ

Ancien Consul-général et Ministre résident de France

Translated by

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TRANSLATOR'S NOTE

THIS book was originally published in 1924 in Milan, by the Società Editrice "Unitas," under the title of *La Paix Malpropre (Versailles): pour la Réconciliation par la Vérité* ("The Unclean Peace of Versailles: Through Truth to Reconciliation"). The author, who had been the diplomatic correspondent of the Conservative *Journal des Débats*, explained that he was in a difficulty in regard to publication in France. "English writers like Mr. Keynes, or Italian writers like Signor Nitti, can publish their books through any firm in their own country. It is not so easy a matter in France. . . . Such works have been written in France by members of the advanced, or, indeed, extremely advanced parties, and published by firms which represent these parties. I am sure that I could without difficulty have found a publisher among these firms. . . . But that would have attached their party label to this book, and that I was anxious at all costs to avoid. . . . When the fall of M. Poincaré, and the change of public opinion which it signified, made my problem of finding a French publisher easier, I was already committed to a foreign firm."

Monsieur Ebray was for several years on the staff of the *Journal des Débats* and the *Revue Politique et Parlementaire*. He left journalism to enter the service of the French Foreign Ministry, first as a consul-general and subsequently in a diplomatic post, but he resigned after a short period of service in order to be free to take an active part in politics.

M. Ebray has recently dealt at length with the subject of section seven of Chapter I of this book in a book giving the

history of the principal violations of treaties and of international law from the French Revolution to the years following the world war. The book has been published in Paris by the firm of André Delpeuch, under the title of *Chiffons de Papier* ("Scraps of Paper").

PREFACE

DURING the world war, an objective study of causes and responsibilities led me to this conclusion—that on both sides, but especially in the Entente camp, the guilt of the enemy was being exaggerated. Such exaggeration was also, it seemed to me, equally manifest in regard to the conduct of the war—the reciprocal charges of excesses and of violations of international law—and here, again, it seemed to me, the worst offenders were in the Entente camp. From exaggeration there had been a quick descent to exasperation. On one occasion during the diplomatic crisis which culminated in the war, Sir Edward Grey said to the German Ambassador that if war broke out it would be “the greatest disaster that the world had ever seen.” The exasperation in the Entente camp converted the “disaster” into a “crime.”

This state of feeling appeared to me to be alarming in view of its probable effect on international relations after the war. For it seemed to me that the more the opponents had been excited against one another by distortions of the truth, the more difficult it would be to bring about any reconciliation between them. I had, therefore, the feeling that it would be doing a useful work to re-establish the truth—a contribution towards reconciliation.

When the Peace was concluded, it seemed to me that its harshness and injustice would make reconciliation yet more difficult. If, moreover, the Entente statesmen were to be believed, this peace was not an ordinary peace. In its severity it was a “punishment” inflicted on the vanquished for the “crime” which they had committed. This was the view which M. Poincaré advanced in the *Temps* of December 27, 1920.

I had, therefore, the feeling that it would be doing a useful work to establish the truth in regard to the peace as well as the war.

From the first chapter of this book the reader will see not only that responsibility for the war was divided, but that, properly speaking, there was no "guilty" party. He will see that the war was fatally destined, and that everyone did what it was only natural that he should do.

He will see also that the prolongation of the war was inevitable. Finally, he will see that in the matter of violations of international law neither side was more innocent than the other.

It will, perhaps, be objected that it serves no purpose to reopen the question of responsibility for the war, since, under Article 281 of the Treaty of Versailles, the Germans recognized that they and their allies were responsible, and since their allies in turn themselves recognized the fact. This argument, however, is entirely untenable in view of the way in which the avowal was wrested from the vanquished. Promises, subsequently unkept, were made on the strength of which they allowed themselves to be brought into a position in which it was quite out of the question for them to resume hostilities. The weapon of starvation was still kept hanging over their heads, as the blockade had not been lifted. Their territory was at the mercy of invasion by the victors. They were, therefore, not free agents. One newspaper used a very just simile in describing their position. The victors, it said, had treated the vanquished as medieval justice sometimes treated its prisoners, when it wrested from them by torture the confession of a crime with which they had had nothing to do, and then used this confession as proof of their guilt.

Moreover, when the Treaties of Peace, especially those of Versailles and Saint-Germain, were being signed, and even when they were being ratified in Germany and Austria, light was only beginning to dawn on the origins of the war and the

responsibility for it. Consequently, even if the vanquished had admitted their culpability spontaneously, and not under torture, they would still have been doing so without knowing the facts.

For these reasons the avowal wrested from the vanquished is morally, politically, and historically worthless, and there can be no question of quoting it in opposition to a conscientious inquiry into the question of responsibility.

As regards the central contention of this book, the reader will find that the following truths are established in it: That peace was concluded in violation of the Wilsonian principles, and notably of the Fourteen Points, of which the benefit was promised to the vanquished before they laid down their arms; that the Peace was thus an unjust one; that after its conclusion its stipulations were violated, notably by France in the Ruhr, just as the Wilsonian principles had been violated; and that the Peace terms were thus unjustly applied.

A study of the situation of the world after the war will bring the reader this conviction—that Europe is menaced by fresh wars, and (I lay stress on this point) that France is more closely interested than any other Power in the removal of the conditions out of which that menace arises. Probably the reader, before he reaches the last chapter of this book, will himself have arrived at the conclusion there formulated, that there is abundant reason why, both in the general interest and in that of France herself, the Treaties of Peace should undergo revision.

In the Entente camp, and especially in France, anyone who tries to work for reconciliation by establishing the truth concerning the responsibility for the war and the unjust character of the peace, is liable to be told that his argument is “pro-German.” So far as I am concerned, my answer is this: The one thing that matters is whether or not what I say is true. If my opponents, whoever they may be, do not try first of all to show that what I say is untrue,

they will implicitly admit its truth. If, after that implicit admission, they still say to me, "Your argument is pro-German," it is evident where that statement logically leads. My opponents will certainly have no desire to walk into that trap of their own setting.

On February 6, 1920, Mr Asquith delivered a speech at Paisley in which he strongly criticized the conditions of peace; in the course of it he said :

This is not statesmanship; it is not business or common sense; it is not the clean peace that would end war with the war. It is not the clean peace which all of us, without distinction of party, were demanding, and clamouring for eighteen months ago.¹

Do not these words of the great British Liberal leader imply a severe judgment on the Treaty of Versailles?

¹ *Times*, February 7, 1920.

A FRENCHMAN LOOKS AT THE PEACE

CHAPTER I THE "CRIME"

i

FRENCH AND BRITISH ADMISSIONS

At the very beginning of the war, M. Delcassé, who can hardly be suspected of indulgence towards Germany, acknowledged in the *Corriere della Sera* of August 28, 1914, that Germany did not want war but was dragged (*trascinata*) into it.

In 1917, while the war was still raging, Dr. Le Bon published in Paris his *Enseignements Psychologiques de la Guerre Européenne*, in which the conclusions arrived at were so different from the official thesis that surprise was expressed that the censor allowed the book to be published. He showed that Austria alone wanted war, and only against Serbia, and he argued that Germany's declaration of war on Russia was provoked by the general mobilization of the latter Power. He remarked that before the final catastrophe

the German Emperor personally made extremely earnest efforts to induce the Tsar to stop the mobilization. These efforts prove that the Emperor stood in fear of the Russian mobilization, and also that he genuinely desired peace.

Dr. Le Bon's opinion was summed up in the following passage in his book :

In the preceding chapter I indicated that the question "Who willed the war?" might without

exaggeration be answered, "No one." Certainly no one wanted war; yet war was declared by the German Emperor. He, therefore, is responsible, and it is only interesting from a psychological point of view to show that he did not desire it.

When Dr. Le Bon arrived at these conclusions, the diplomatic history of the war was only known from the first Blue Books published by the belligerent Governments; but all that has since been written proves that his conclusions were sound.

On December 22, 1920, in the course of an address to the Empire Parliamentary Association, Mr. Lloyd George spoke as follows in regard to the outbreak of war:

The more one reads the memoirs and books written in the various countries on what happened before August 1, 1914, the more one realises that no one at the head of affairs quite meant war at that stage. It was something into which they glided, or rather staggered or stumbled. Discussion, I have no doubt, would have averted it. (*The Times*, December 28, 1920.)

In the *Cahiers Idéalistes* of December, 1921, M. Edouard Dujardin, Professor at the Sorbonne, spoke of the efforts of the French writers who had struggled to establish the facts. He named MM. Demartial, Louis Guétant, Fernand Gouttenoire de Toury, Mathias Morhardt, and Gustave Dupin, and he said:

With admirable perseverance, straightforwardness, and loftiness of purpose, these gentlemen, striving against public opinion, have proved that the responsibility for the war was at least shared by the Allies with Germany; perhaps, indeed, they are even more responsible.

M. Georges Demartial, a retired Government official and an Officer of the Legion of Honour, one of the French writers mentioned by Professor Dujardin, says in his book *Comment on mobilisa les Consciences*:

For myself, I hold out my hand to Germany, not, as some do, for political or commercial reasons, not, as

others do, pretending that there are two Germanies, not in the epicurean spirit of moderation recommended recently by Anatole France, but simply and solely from a sense of moral justice, as I should hold out my hand to a man basely slandered and unjustly condemned.

With this I will end a list of witnesses which might be considerably extended.

ii

THE FRANCO-GERMAN QUESTION AND ALSACE-LORRAINE

Now that Alsace-Lorraine belongs once more to France, and that even those Germans who are most opposed to the Treaty of Versailles accept this fact, and do not dream of altering it, it can only be of advantage to recognize the actual truth concerning the Alsace-Lorraine question. A statement of the rights which it was possible for Germany to assert over the country which she conquered in 1871 should serve to diminish the anger felt by the French against Germany for her "theft" of Alsace-Lorraine, and should serve also to explain why Germany could not renounce Alsace-Lorraine until she had been conquered, and had an arguable case for fighting to a finish in spite of the sufferings entailed on both sides. Moreover, evidence of the Germanic character of Alsace-Lorraine may indirectly serve to attach its inhabitants to France by persuading her not to adopt a policy of forcible Gallicization towards them. M. P. Foncin, in his *Troisième Année de Géographie*, published in 1887, stated that France had made virtually no effort to spread the French language in Alsace, and that she had thus won the affections of the Alsatians, by respecting their "native tongue." The more France now respects the Germanic personality of Alsace, the less the Germans will regret the loss of the country. It must be remembered that Germany only began to interest herself in the Baltic provinces of Russia, as part of the German family, when the Russian Government began to persecute the Germanic element there.

Historians are agreed in dating back the origins of France and Germany as separate States to the year 848, the date of the Treaty of Verdun, which divided Charlemagne's empire between the three sons of Louis the Debonair. Charles the Bald received France; Louis the Teuton, Germany; Lothair, the country between the two others, which was called Lotharingia and included the region corresponding to the Alsace-Lorraine taken from France in 1871.

In 870 the Kingdom of Lothair came to an end and was divided between Charles the Bald and Louis the Teuton, the latter receiving Lotharingia; that is to say, Alsace-Lorraine. Thus for twenty-seven years from the day on which France and Germany became separate kingdoms, Lotharingia belonged to neither, and at the end of those twenty-seven years it fell to Germany. It might thus almost be said that it had always belonged to Germany from the day when a France and a Germany first existed.

In any case, when France conquered Alsace by force in 1648, historic right was on the side of the Germanic Empire.

Lorraine, which was also a part of the Germanic Empire, became French in 1766 as a political adjustment in connexion with a royal marriage.

The word "disannexation" has been used in connexion with the return of Alsace-Lorraine to France in 1919. In the *Journal de Genève* of June 15, 1923, the paper's Alsatian correspondent, M. Bergner, said that some people spoke of "reannexation." Certainly they were right as far as Alsace was concerned. In 1648 France profited by annexation; in 1871 there was disannexation in Germany's favour; in 1919 reannexation to France, and as France in 1648 did not consider that an uninterrupted possession for 778 years created inalienable rights for Germany, one may well ask why Germany should have been expected in 1871 to admit that uninterrupted possession for 223 years created inalienable rights for France.

From the ethnical and linguistic standpoint, Alsace-Lorraine, with the exception of certain portions of the annexed part of Lorraine, was Germanic.

In 1888 Jules Michelet, the historian, on whom the French Chamber conferred in 1928 the honours of the Panthéon, declined to include Alsace in the "Map of France" which he was drawing in his *Histoire de France*. He considered that Alsace was German, and that the Kingdom of France, including Lorraine, only extended to the Vosges (Vol. II, pp. 78-9).

In 1878 Elisée Reclus, in his *Nouvelle Géographie Universelle*, also insisted on the German character of Alsace (Vol. III, p. 519).

The annexation of Alsace-Lorraine to Germany in 1871 was certainly carried out against the will of the people, and the "right of peoples to dispose of themselves" was thus ignored. But this right always had been ignored, and was still to be. As will appear in these pages, this right of self-determination was outrageously ignored in the Peace Treaty which ended the world war. Why should Germany alone be forced to respect it in favour of Alsace-Lorraine?

The persistency of Alsatian irredentism has been much discussed. After 1911 it was admitted that a movement for autonomy had taken its place. In other words, Alsace-Lorraine would have been content to be endowed with a new Constitution placing her on the same footing as the other confederate States of the German Empire. In 1918, in his book *Faites un Roi sinon faites la Paix*, M. Marcel Sembat said of the people of Alsace-Lorraine that their "desire to-day" could not be inferred from their "desire yesterday." Of those who declared that they wished to become French again, he said: "What do they know about it?" During the war, in *La France* of January 14, 1915, M. Maurice Ajam, a deputy and former Under-Secretary of

State, rejected the idea of a plebiscite in Alsace-Lorraine because he was not sure that the result would be favourable to France. On June 12, 1917, at the close of the session of the Landtag in Alsace-Lorraine, the Presidents of the two Chambers, Dr. Ricklin and Dr. Höffel, two Alsatians, joined in a demonstration of fidelity to the Empire, claiming only equal status for Alsace-Lorraine with the other confederate States.

Thus, not only was it impossible to expect Germany to respect a right which no one else respected, but before and during the war it was by no means certain that Alsace-Lorraine desired to be separated from Germany.

It follows that Germany could have no reason, either in 1871, or before, or during the world war, to admit the justice of the French case in regard to Alsace, and that there could be no just ground of complaint in France on the score of her failure to do so. It would have been easier for Germany to come to some compromise in regard to the portion of Lorraine included in the Province of Alsace-Lorraine. From a recent publication¹ it appears that William II. caused overtures to be made in this direction to General de Galliffet and President Casimir-Périer, but that these overtures were not responded to.

Did France want and was she preparing a war of *revanche* for the recovery of Alsace-Lorraine? This question is of capital importance in connexion with the question of responsibility for the world war. I have studied at close quarters the state of mind of the French public and have been in touch both with journalistic and political circles, and I have come to the following conclusion: that France did not want a war of revenge, but that she allowed and even compelled people to think that she wanted one, and that the result was the same as if she had really wanted war. This paradoxical situation has been described in France as

¹ "Souvenirs du Dîner Bixio," by Jules Claretie, published by Georges Claretie in the *Revue de France*, July 15, 1923.

"the farce of *revanche*." I should prefer the less severe phrase "the myth of *revanche*."

The French people did not want war; like the common people everywhere, it wanted peace. The Government of the Republic did not want war, because it feared that war, whatever its outcome might be, would imperil the Republican régime. But the net result of the attitude of the Government, the political world, the Press, and the public was that France declined to acquiesce in the situation created by the Treaty of Frankfurt. There is ample evidence of this; let the following suffice. On November 23, 1908, in the Chamber of Deputies, M. Francis de Pressensé, *rapporteur* for the budget of Foreign Affairs, a Socialist deputy, provoked a storm of indignation and protest by declaring that France did not desire and never had desired a war of revenge. To any reasonable being, France's refusal to renounce Alsace-Lorraine, and such demonstrations as this one, implied that she wanted war. The general opinion outside France was that the French nation wanted and was preparing for a war of revenge, and was only waiting for a favourable moment to launch it, and that it was for this reason that France had allied herself with Russia. Any Frenchman in a foreign country who denied this was looked upon as insincere, and as flying in the face of the evidence. This general opinion was especially strong in Germany, and it was this opinion which was later to inspire the eighth of Mr. Wilson's Fourteen Points, in which the Alsace-Lorraine problem is described as having disturbed the peace of Europe for nearly fifty years.

The myth of *revanche* produced in the end the following results. Germany, in fear of French aggression, created a formidable army and contracted alliances. France, alarmed by Germany's power and alliances, made an alliance with Russia, which was destined to drag her into a war on behalf of Slav ideals.

Did Germany want and was she preparing for a war of

aggression against France and Russia, as was alleged in France? If this had been so, she would certainly have accepted the alliance which Great Britain offered her. Her motive in refusing it may have been the fear that it might drag her into a war which she did not want. Moreover, had she wished for war, she certainly would have availed herself of the favourable opportunity which occurred in 1905, when Russia was paralyzed by her struggle with Japan and when the Moroccan issue could have served as a pretext for war against France. It does not at all follow that Germany wanted war because she was against the limitation of armaments at the Hague Conference. For many reasons—demographic, financial and others—the limitation of armaments seemed a more chimerical plan than complete disarmament.

The truth is that neither France nor Germany wanted war. But in the most natural way possible, and not in the least “criminally,” Germany was ultimately dragged into war in defence of her Ally, Austria-Hungary, and France in defence of *her* Ally, Russia.

iii

THE RUSSIAN-AUSTRIAN-GERMAN QUESTION AND THE AUSTRO-SERBIAN CONFLICT

The whole world's sympathy was bound to go out to Serbia in her effort to realize her unity at the expense of Austria-Hungary, as in former years it had gone out to Italy in her similar effort. Sympathy was bound to be felt for the various peoples of the Dual Monarchy which were seeking either to unite themselves with their racial kindred beyond the frontiers or to win their independence and emancipation from a yoke which weighed heavily on them. All this was quite natural when the present-day respect for nationality is taken into account. It was all the more natural since the Dual Monarchy was dominated by two minorities, German and Magyar, instead of any régime suitable for a mosaic of disparate peoples being adopted. But admitting all this, it

must be recognized that Austria-Hungary could not satisfy the aspirations of her component nationalities without self-destruction, since their emancipation implied the dismemberment of the Monarchy.

On his return from America in March, 1918, M. Vesnitch, then Serbian Minister in Paris, and later Prime Minister in his own country, made in the *Temps* of March 28, a statement in regard to the American sympathy with the cause of the Yugoslavs. In the course of it he said :

How could it be otherwise when Americans hear every day fresh details of the martyrdom of the Yugoslavs, and when they realize more and more clearly the great truth that this whole terrible war was engineered and let loose in the desire and determination to crush their emancipation movement?

It may be said without exaggeration that this statement settles the question of responsibility. It shows that in the Austro-Serbian struggle Austria was on the defensive against Serbia. The unification of Serbia—in other words, the creation of Yugoslavia—meant nothing else but the dismemberment of Austria-Hungary. To wage "this terrible war" in order to "crush the emancipation movement" was thus to wage it in order to prevent the dismemberment of Austria-Hungary.

What territory did Austria-Hungary stand to lose by this "emancipation movement"? The *Bibliothèque Yougoslave*, published in Paris during the war (at the Librairie Plon-Nourrit), gave information as to this in its second number (1916). It began by describing the part played by Serbia as similar to that formerly played by Piedmont, thus indicating from the outset its offensive character. It went on to enumerate all the Austro-Hungarian territories inhabited by Yugoslavs which Serbia aimed at wresting from the Dual Monarchy, adding statistics of their area and population. They aggregated about 174,000 square kilometres, or about one-third of the area of France, with more than ten million

inhabitants, or about one-fourth of the population of France. It was to avert this peril that Austria-Hungary declared a preventive war against Serbia in 1914.

The peril had been greatly increased by the victory of the Balkan States over Turkey in 1912. Serbia had seen her frontiers enlarged, and could begin to dream of realizing her ambitions in regard to Austria-Hungary. The assassination of the Archduke, the heir to the throne, at Serajevo, was thus bound to seem in Austrian eyes an unhopèd-for opportunity and pretext for launching a defensive war against Serbia.

The foregoing shows the injustice of reproaching Austria for not submitting her "difference" with Serbia to arbitration. A "difference" of this order admits of no arbitration. It is a fight for existence between two rivals in which the victor can only live by the other's ruin. It would have been equally reasonable to try to settle the Austro-Italian "difference" in the nineteenth century by arbitration. In such cases force alone avails.

Russia naturally sided with Serbia in the struggle; still more naturally Germany sided with Austria, because she had found it necessary to enter into alliance with Austria. Russia was not allied to Serbia, nor was she obliged to come to her aid, but as the protection of the Slavs was a part of her policy it was difficult for her to stand aside. As for Germany, the threatened weakening of Austria, her Ally, placed her in very real danger. In German diplomatic documents frequent reference is made to the fear that the Austrian Alliance might in the end be worth nothing to Germany.

The issue of the war demonstrated a truth which might easily have been suspected beforehand—that the Austrian Alliance was a mistake for Germany. It would have been much wiser to ally herself against Austria with those States which wanted to expand at Austria's expense—Russia, Roumania, Serbia, Italy. Germany would have obtained

a handsome share in a partition which could probably have been effected without going to war. Instead, she allied herself with the decaying Monarchy, and thus alienated all the nations which counted on stepping into its shoes. However, having chosen her Ally, Germany was bound to try to preserve the existence of the moribund State.

iv

"POINCARÉ-LA-GUERRE" ?

Even before the Soviet Government published the *Livre Noir* containing the diplomatic correspondence of the Tsarist Government, there had been controversy over the part played by M. Poincaré personally in the events which preceded the war. The *Livre Noir* provided fresh arguments for his critics. They nicknamed him "Poincaré-la-Guerre," and declared that he was responsible for the war. Were they justified ?

In Balkan affairs Russia had the choice of two policies—a policy of action and prestige, or one of quiescence. The former meant working for the realization of Russian designs against Constantinople and the Straits, and supporting the Slavs of the Balkans, especially the Serbs, against Austria-Hungary. The latter lay in maintaining the *status quo* and avoiding hazardous enterprises. The former policy might drag Russia into war against Austria and so against Germany, and might force France, as Russia's Ally, to take part in the war. It emerges clearly from the *Livre Noir* that M. Poincaré, first as Minister of Foreign Affairs and afterwards as President of the Republic, encouraged Russia to follow a policy of action and prestige.

The Russian diplomatist who was the inspirer and the foremost representative of this policy was M. Isvolsky, who contrived to be sent as Ambassador to Paris in order to win over French diplomacy to his own plans. His correspondence with M. Sazonov, the Russian Minister of Foreign Affairs, has

been published in the *Livre Noir*, and clearly shows that M. Poincaré encouraged Russia to action. One even has the impression, especially when reading M. Isvolsky's communication of December 18, 1912,¹ that M. Poincaré was sometimes more Russian than the Russians themselves and found them too lukewarm. M. Isvolsky thus recognized in M. Poincaré a supporter of his own Balkan policy. He counted on him and also on MM. Millerand and Delcassé to neutralize the attitude of the French Radicals, whom he found too pacific and distrustful of Russia. When in January, 1913, M. Poincaré was elected President of the Republic, M. Isvolsky was overjoyed. For seven years to come Russia could count on a partizan of her Balkan policy, who would neutralize the hostile influences. For, he wrote to M. Sazonov, the President of the Republic would be able to influence France's foreign policy; and he added that M. Poincaré had made an exception in his favour, and promised to resume the conversations which he formerly had with him when Minister of Foreign Affairs.

M. Georges Louis, the French Ambassador in Russia, was hostile to M. Isvolsky's policy, which he considered dangerous. A campaign was conducted against him, and finally he was replaced by M. Delcassé, who was more in sympathy with Russia's forward policy. M. Poincaré has tried to deny all responsibility for this change of ambassadors. It is quite true that, officially, M. Jonnart was responsible, but the incident occurred while M. Poincaré was still at the Quai d'Orsay, after his election to the Presidency but before his departure for the Elysée. It was common knowledge that M. Jonnart, as a new arrival at the Quai d'Orsay, sought M. Poincaré's advice on all important matters.

During the debate in the French Chamber on July 5 and 6, 1922, M. Poincaré tried, but without success, to destroy

¹ See *Isvolsky and the World War*, by Friedrich Stieve, pp. 122-4. George Allen and Unwin, 1926.

the impression created by the Russian documents. He seemed to be trying to throw doubt on their authenticity and even on the veracity of M. Isvolsky, who was dead. The authenticity of the documents is sufficiently attested by the fact that M. Sazonov, who was still alive, did not attempt to deny it, though it would have been to his interest to do so. As to M. Isvolsky's reliability as a witness, it is impossible to question it after reading the Memoirs of M. Paléologue, who was French Ambassador to Russia when M. Poincaré went there in July, 1914, at the height of the diplomatic crisis brought about by the Serajevo tragedy. M. Poincaré appears in these Memoirs precisely as he appears in M. Isvolsky's correspondence; at times, as in reading some of Isvolsky's letters, he seems more Russian than the Russians. "Sazonov must be firm, and we must uphold him," said M. Poincaré to M. Paléologue. At the farewell banquet he gave a toast like a clarion call, "arousing," writes Paléologue, "a storm of applause"; at its close the Grand Dukes glanced at Paléologue "with flashing eyes." Before his departure M. Poincaré had a private audience with the Tsar; later, describing the occasion to M. Cruppi, Nicholas II. said: "I always have a vivid memory of the emphatic words of the President of the Republic to me at the moment of his departure from Russia." After M. Poincaré's departure, M. Paléologue, in full accord with him, and carrying out his instructions, continued to be equally "emphatic." M. Sazonov, however, asked him: "But what if this policy should lead to war?"—a remark indicating clearly the hesitation of the Russian diplomatists.

Does all this prove that M. Poincaré desired and "willed" war? There is no proof of that, and he alone in his inmost heart knows the answer to that question. But there is every reason to believe that his policy before the war helped to create the situation out of which war came. There is also reason to believe that his attitude at St. Petersburg, as described by M. Paléologue, helped to produce there the state of mind which led in the end to the Russian general

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mobilization. It was this mobilization which brought about the war. There is reason, therefore, to hold that if M. Poincaré did not "will" the war, his policy nevertheless helped to bring war.

Does this mean that he committed a "crime"? He would at least have committed a grave error if, as some think, he permitted himself to be influenced by Russian diplomacy to the point of sacrificing his own independence and French interests for the sake of purely Russian interests. Everyone knows, however, that M. Poincaré is much more likely to influence others than to be influenced by them. Perhaps he believed that the prestige of Russia in Europe would be damaged were she to sustain another diplomatic defeat in the Balkans, and that the Franco-Russian Alliance would suffer in consequence. If this were so, he would have been acting very reasonably in dissuading Russia from allowing such a defeat to be inflicted on her, and even in going so far as to promise her the military support of France.

But it is only fair to apply the same argument to Germany's attitude. Austria, threatened with dismemberment, was in far greater peril from the Pan-Serb propaganda than was Russia from what was happening in the Balkans. Austria therefore had more reason than Russia for an energetic policy. It follows that Germany had better grounds for urging her Ally to adopt such a policy than had France for giving similar advice to Russia. If, then, M. Poincaré committed no crime in his Russian policy, still less did William II. when he incited Austria to action against Serbia.

V

HOW THE WAR CAME

In face of the discordant versions current in regard to the outbreak of the war, it might be supposed that the question is a very difficult and complicated one. As a matter of fact it is perfectly simple and clear, and has only come to seem complicated because so many disingenuous accounts have

been spread on both sides, but more especially on the side of the Entente, in order to throw all responsibility on the enemy. It is true that at first the whole truth was not known. But now that the revolutionary Governments of Russia, Germany, and Austria have published their secret diplomatic documents, all is clear, and it is impossible in good faith to deny the truth when presented by those who take the trouble to study these documents.

It is important to note that the situation was only finally made clear after peace had been concluded; that is to say, after the signing of the Treaties of Versailles and Saint-Germain. The verdict and sentence for the "crime" were thus pronounced before all the facts of the case were known, and at a time when the guilt of the accused seemed heavier than it did later in the light of the fresh facts revealed by the diplomatic documents. As a matter of ordinary justice the verdict should thus be revised. Logically the issue of the responsibility for the war should be examined on the same lines as any other disputed question. But it will be difficult to get this admitted, as the whole object of the judges in forging the evidence of the "crime" was to give a pretext for their verdict.

It is especially in regard to the relative responsibility of Germany and Austria-Hungary that the documents published since the war have brought to light facts which were unknown during the war and the peace negotiations. During the war and before the revolutions which established Republics in Germany and Austria, the two Imperial Governments were obliged to be very careful and discreet towards each other. After the revolution and the peace there was no longer the same need for discretion; the two Governments were no longer allied, and each of them, in order to exonerate itself, had an interest in revealing the responsibility of the former régime. Germany did this in publishing the "German Documents on the Outbreak of the War." Austria in turn published several Red Books. It then appeared that, contrary to the general

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belief during the war, it was Austria-Hungary that dragged Germany into the war and not Germany that dragged Austria. It also transpired that, contrary to the general belief, Austria, not Hungary, was the warlike partner in the Dual Monarchy.

If proof were needed that desire to punish the "crime" was merely a pretext on the part of the victors, it would be found in this grimly humorous fact: after the whole truth was known, the severity of the victors continued to be applied as before in inverse proportion to the guilt of the vanquished. They were hot against Germany, the less "guilty" but the more powerful; they were almost solicitous for Austria, the more "guilty." They wanted, of course, to make her situation sufficiently tolerable to prevent her from throwing in her lot with Germany.

In the *Vie des Peuples* of April 10, 1922, M. Auguste Gauvain, one of the severest critics of the Central Powers, published an article, *Comment éclata la guerre*, which appeared later in the *Histoire de la Grande Guerre* incorporated in the *Histoire de France Contemporaine* published under the direction of M. Ernest Lavisse. I want to draw particular attention to M. Gauvain's remarks on the terms of the ultimatum to Serbia:

They showed that the men at the head of the two Empires were absolutely determined on war—war on Serbia alone if Europe acquiesced in the extinction of that small nation; general war if Russia came to the assistance of King Peter.

This can only mean that the two Empires had aggressive designs only against Serbia, and that their intentions regarding Russia and France were merely defensive. In this view M. Gauvain had the support of all clear-sighted observers. No one has ever seriously maintained that the aim of the Central Powers in picking a quarrel with Serbia was to use it as a pretext for war against Russia and France. It would

have been utter folly on the part of Austria to burden herself needlessly with a war against Russia if Russia had given her *carte blanche* in regard to Serbia. In point of fact, Austria never had had warlike designs against Russia; all she asked was to be left alone in Balkan affairs. As for Germany, war would for her have been a still greater folly, as she would obviously be taking up the cudgels against Russia merely in defence of Austria. For the rest it has already been shown that Austria had good reasons for wishing to crush Serbia before being crushed by her.

From the situation defined by M. Gauvain it follows in the first place that, so far as *intentions* are concerned, the responsibility of the Central Powers is very limited. Indeed it was very generally admitted from the outset of the war that Germany and Austria only embarked on their enterprise against Serbia because they were convinced that there would be no general war, but simply a small and localized conflict between Austria and Serbia. There were very good grounds for this conviction. To begin with, Russia was not formally allied to Serbia, and so was not obliged to come to her aid; moreover, in several earlier crises the Triple Entente Powers had on each occasion given way to the Triple Alliance. It might well be supposed that this would happen again. Even if the Central Powers had anticipated a general war and had coolly accepted that contingency, would they have been more culpable than Russia, whose Minister of Foreign Affairs, M. Sazonov, asserted during the diplomatic crisis that Russia would not draw back at the prospect of war if she were sure of the support of France? It has been shown above that Austria had more reason to attack Serbia than Russia had to defend her.

M. Gauvain's definition of the situation also makes it clear that far too much importance has been attached to the question of the dates of the various mobilizations. Even if the Central Powers had mobilized sooner than their adversaries—and it is proved that they did not do so—this would have

proved nothing against them, since they could only be mobilizing in self-defence against Russia if she came to the aid of King Peter, or against France if she came to the aid of Russia.

It must, however, be added that M. Gauvain's definition of the situation, so far as it is applied to *both* of the Central Powers, is only accurate up to July 28. After July 28, Germany used every effort to restrain her Ally and to avert a general war, the possibility of which she seemed at first to have accepted, without actually desiring it.

The question has been discussed whether Germany modified her attitude from the day when she realized that the crisis was leading to a European war, or only from the day when she discovered that Great Britain would take part in the war. Two facts emerge very clearly from the diplomatic documents. Germany began to modify her attitude from July 28, the day on which the Serbian reply to the Austrian ultimatum became known; not, however, until the 29th could she have had any certainty that Great Britain would come in. It may, therefore, be allowed that it was not the latter circumstance which induced Germany to modify her attitude; it did, however, give her an additional and urgent reason for the change.

Two important documents exist which show the impression produced in Germany by Serbia's conciliatory reply and acceptance of nearly the whole of the Austrian ultimatum. When William II. received the text of the reply he noted on it that this was a "brilliant result" for Austria, "which disposes of all reason for war." This was early on the 28th. On the same day, at 10 a.m., he sent from the New Palace at Potsdam a letter to Herr von Jagow, Secretary of State for Foreign Affairs, developing the view expressed in that marginal note. As Serbia had "capitulated" there was no longer any reason for war. But Austria should temporarily occupy Belgrade as a pledge, until Serbia had carried into effect the promises contained in her reply, and also to

"satisfy the honour" of the army. On this basis he would be prepared to act as arbitrator between Austria and Serbia, and he invited Herr von Jagow to submit to him a proposal to this effect. He rejected in advance the intervention of any third party. It is to be noted that he persisted to the last in the idea of settling the matter "in his own way."

It was certainly harsh and unjust to demand the occupation of Belgrade, even temporarily and as a pledge. Nevertheless it is quite obvious from the Emperor's new attitude that he did not want war. But events moved too fast and war became inevitable: on that same day, July 28, at mid-day, Austria declared war on Serbia.

German and Austrian documents alike prove clearly that from this moment Germany exerted herself to induce Austria to adopt a more conciliatory attitude and virtually to retract her declaration of war, whereas up to July 28 she had urged her on to action. Austria, however, now declined to hold back, although Berlin warned her that a war between the Triple Entente and the Central Powers would be waged under very dangerous conditions for the latter. Austria's stubbornness was natural enough. She was in the position of a sick man who knows that only a surgical operation can prolong his life, and who decides, though it may prove fatal, to risk all. Germany was not in this position.

Whilst working for conciliation at Vienna, Germany was endeavouring at St. Petersburg to induce Russia not to press on with her warlike preparations. She warned Russia that their continuation would force her to make corresponding preparations, and showed how grave would be the resulting peril.

Justice compels the mention here of a fact which emerges from all the diplomatic documents, not excepting the French ones. France was much less energetic in urging Russia to take up a conciliatory attitude than Germany was in her similar advice to Austria. It was mainly to Great Britain that France applied herself in her efforts to arrive at a

peaceful solution of the conflict ; they do, however, show that she, too, had no desire for war.

Serbia's mobilization had been ordered on July 25 ; there was no other general mobilization until July 30. During the night of the 25th a partial mobilization of eight army corps against Serbia was ordered in Austria-Hungary. On the 29th Russia decreed a partial mobilization of thirteen army corps against Austria-Hungary. July 30 was marked by a decisive and fatal event, Russia's general mobilization. M. Paléologue, the French Ambassador at St. Petersburg, records in his Memoirs that the order to mobilize was signed by the Tsar at 4 p.m. on that day.

Mention must also in justice be made here of a fact of capital importance. In September, 1918, the French Government published a "Yellow Book" dealing with the beginnings of the Franco-Russian Alliance. In this it is stated that on August 17, 1892, General Boisdeffre, Chief of the French General Staff, was granted an audience by Alexander III. in regard to the military convention between the two countries. In his report of the interview the French General says :

The Emperor then discussed mobilization as described in article 2. I called his attention to the fact that mobilization was equivalent to a declaration of war, because to mobilize was to oblige one's neighbour to do likewise ; that mobilization also involved strategical transport and concentration. . . .

"That is precisely as I understand it," replied the Emperor.

Thus, when the Franco-Russian military convention was concluded, the Tsar of Russia and the French Chief of Staff were agreed that "mobilization was equivalent to a declaration of war."

Germany did not reply at once with a declaration of war, or even with an order for general mobilization ; her reply was to proclaim on July 31 a "state of menace of war" (*Kriegs-*

gefährzustand). There have been attempts to deny or conceal the fact that this proclamation was a reply to the Russian mobilization. The Russian documents which furnished the evidence of this were only divulged by the Soviet Government. On the French side a telegram sent by M. Viviani to M. Paléologue (No. 117 in the "Yellow Book") was falsified by suppressing part of the text. To-day the truth can no longer be denied, and it is therefore idle to discuss, as has been done, whether the "state of menace of war" was more or less equivalent to a general mobilization.

On the morning of July 31 Austria-Hungary mobilized. The fact of the Russian mobilization must have been unknown in Vienna when the decree was signed, for when Francis Joseph informed William II. that he had ordered general mobilization, and did his best to justify the step, he did not mention the Russian general mobilization, the fact of which would have been sufficient justification. Russia and Austria acted in ignorance of one another's movements.

On July 31, at 3 p.m., Count Pourtalès, German Ambassador, was received by the Tsar. He represented to him that the peace of the world would be saved if the Tsar would consent to revoke the Russian military measures. At 11 p.m. he handed to M. Sazonov the following demand from Germany: If Russia did not suspend her mobilization within twelve hours, both against Germany and Austria, Germany would mobilize her whole army. It is clear that if Germany had wanted war she would have taken advantage of the Russian mobilization to declare it. She would certainly have made no effort to secure the removal of this pretext through Russia's demobilization.

At 7 p.m. on August 1, Count Pourtalès called on M. Sazonov to learn his reply. Three times he asked him to demobilize. At the third refusal he handed to him Germany's declaration of war. In view of the terms of the demand made on the previous evening, it might have been expected that Count Pourtalès would have arrived about midday to

announce the German general mobilization. Instead, he called at 7 p.m. and declared war. Had he, then, informed M. Sazonov of the general mobilization before he took this final step? From what M. Gauvain says in his book *Comment Eclata la Guerre*, it would appear that he had. Referring to the French mobilization, which was ordered on August 1 at 3.40 p.m., and detailing the reasons which justified it, M. Gauvain adds: "Besides, Viviani knew from Paléologue that Pourtalès had notified the fact of the German mobilization to the Russian Government." This notification had thus taken place well before the declaration of war, as it was known in Paris at 3.40 p.m.

The German declaration of war was preceded by a series of telegrams between William II. and Nicholas II., telegrams which it is impossible to read without emotion. They make it quite clear that neither of the two Sovereigns wanted war; each of them viewed its approach with dismay, and implored the other to do what he could to prevent it.

It has been asserted that the Russian mobilization was mere bluff to intimidate Austria. Possibly; but if someone points a pistol at your head and you, believing that he is going to shoot, defend yourself before it is too late, are you to blame if after events prove that no more was intended than to frighten you? It has been argued that Russia might have gone on mobilizing without war resulting. This is also possible. But might not Germany, hemmed in between her enemies, Russia and France, have felt justified in striking before her adversaries gained an advantage over her? Count Pourtalès pointed out to M. Sazonov that, if an offer of mediation were accepted by Germany while Russia continued her military preparations and this mediation were to miscarry, the consequent delay would place Germany in a position of inferiority against Russia. In any case, Germany must be absolved in view of the opinion concurred in by Alexander III. and General Boisdeffre that "mobilization is equivalent to a declaration of war." In face of this it cannot

be denied that her declaration of war was an act of self-defence.

In Paris, at 7 p.m. on July 31, Baron de Schoen, the German Ambassador, had called on M. Viviani to notify the proclamation of the "state of menace of war." He asked at the same time what attitude France would adopt in case of war between Germany and Russia. He was promised an answer on the following morning. He called at 11 a.m. on August 1. M. Viviani's reply was that "France would do what her own interests required." To anyone who could read between the lines this meant that she would not remain neutral. From that moment, therefore—and this is a very important point—Germany was aware that war with Russia would mean war also with France. Moreover, on that same first of August general mobilization was ordered in France at 3.40 p.m., almost at the same time as it was ordered in Germany. During the night of August 1-2 M. Isvolsky went to the Elysée, intimated Germany's declaration of war, and asked what France intended to do. The French Cabinet decided that she would fulfil all the obligations of her alliance with Russia. This meant that she intended to go to war with Germany, since the Alliance imposed this obligation on her. But, M. Isvolsky was told, France would not declare war, but would wait for Germany to take the initiative. It was well known that Germany intended, in the event of war against Russia and France, to begin operations against France and deal later with Russia. Even if Germany had not declared war, France, bound by her alliance, would have been obliged to do so. The simple fact of M. Isvolsky's approval of the Cabinet's decision is proof of this. For this reason Germany's declaration of war against France also can only be considered as a preventive measure. It was made on August 3.

The preventive character of this act has been contested on the score of the ground which Germany advanced in justification of it—namely, the aviators over Nuremberg and the

alleged frontier raids. This was, indeed, a very poor ground. But, as became known on the publication of the "German Documents"¹ in December, 1919, Germany had decided not to give her true reason but to employ a fictitious one. The true reason was given in the first draft of the declaration of war, the text of which is to be found in the "Documents" (Vol. III, p. 97). It was there stated that France "by her ambiguous and evasive reply" was reserving to herself the option of joining Germany's adversaries; that she was in a position at any moment to fall on Germany's rear, and that Germany could not allow her the choice of the moment when this menace on Germany's western frontier should materialize. This was a very plausible reason, and it is inconceivable why the German Government should have abandoned this first draft of its declaration of war. In doing so it provided its critics with ammunition; they seized on the fictitious pretext of the aviators of Nuremberg, and systematically ignored the true reason, which only became known afterwards.

There remain to be examined the alleged proofs of German "premeditation."

One of these alleged proofs is the fact of Germany's intertion, in the event of France promising to remain neutral, to demand permission for German troops to occupy Toul and Verdun as a guarantee of her neutrality. France, it is claimed, could not possibly have consented to such a humiliation, and war was thus made certain. It has even been suggested that Germany's aim in making this demand was to raise such a storm of indignation that war would be inevitable. Nothing could be less convincing than this argument. Had Germany intended to provoke a storm of indignation, it was psychologically absurd for her to separate her two demands, for neutrality and for the occupation of the

¹ *Die deutschen Dokumente zum Kriegsausbruch.* (German White Book of December, 1919.)

two towns. Their separation left it open for her to obtain neutrality in the first instance, and then to renounce the occupation if she met with a refusal on this point. Moreover, the occupation of Toul and Verdun would have been less dishonouring for France than the promise of neutrality. A promise of neutrality would have been equivalent to a betrayal of Russia, more especially as Russia had only plunged after receiving full assurance that her Ally would fulfil the obligations of the Alliance. To permit the occupation of Toul and Verdun would merely have been a mortification of French *amour propre*. If France had consented to the greater dishonour, why should she necessarily be infuriated at a minor one?

Another alleged proof of German premeditation was the so-called *Lokalanzeiger* incident. About 1 p.m. on July 30, this Berlin newspaper published the news of the mobilization of the army and the navy. The German Government immediately informed the Russian Ambassador that this was a false report.

The false report had been telegraphed to St. Petersburg. According to the advocates of the theory of German premeditation, this report decided the Russian mobilization, and that was the purpose of those who invented it, the mobilization furnishing a pretext for declaring war on Russia. The denial of the report, it is suggested, arrived too late for the mobilization to be countermanded. The truth concerning the origin of this incident has never been discovered. M. Richard Grelling, who will hardly be suspected of indulgence towards the German Government of 1914, wrote an article on the subject, *Le Mystère du 30 Juillet 1914*, which appeared in the *Revue de Paris* of March 1, 1922. He only formulates hypotheses. He admits that the authors of the fabrication were probably soldiers who acted independently of the Government, intending to force its hand, and that the trick probably helped to determine the Russian mobilization. But he also admits—and this is of capital importance—that

Russia mobilized above all because she was convinced that negotiations would lead nowhere. In any case, if she had mobilized on the strength of the false report it would have been easy to countermand the order when the report was contradicted. From another source it has been established that the false report reached St. Petersburg after 4 p.m., the hour at which, according to M. Paléologue, mobilization was ordered. The French Ambassador had indicated to the Russian Government that he thought this mobilization premature. The Russian Government, if it had really mobilized on hearing of a German mobilization, would certainly not have failed to mention the news to the French Ambassador in justification of its own mobilization order. There is no mention of its having done so either in M. Paléologue's Memoirs or in the diplomatic documents.

Finally, proof of German premeditation has been sought in the frontier raids before the declaration of war. In *Comment Eclata la Guerre*, M. Gauvain, after describing the German Ambassador's visit to M. Viviani, at 6 p.m. on August 3, to notify the declaration of war to him, continues :

Viviani at once protested against the inaccurate allegations of the German Ambassador, and reminded him of the raids on the French frontier by German troops, which had been going on for two days.

"For two days"; that is to say, since war between France and Germany had become inevitable as a result of M. Viviani's declaration on France's attitude in the event of war between Germany and Russia. A reasonable explanation of the violations of the frontier is that they were intended to drive France into taking the initiative in the declaration of war; this would have had diplomatic and moral advantages for Germany.

This, then, is how the war came. All sincere and thoughtful people will conclude that Dr. Le Bon spoke truly when he said, during the war, that nobody had willed it, and that

Mr. Lloyd George also was right when he said after the war that all had involuntarily "stumbled" into it.

vi

THE GERMAN "ADMISSIONS"

Evidence of the guilt of the Central Empires, and especially of Germany, has been sought in the admissions of guilt alleged to have been made by certain Germans. The most significant of these is what was at first called the "Lerchenfeld document," but must now be called the "Eisner falsification." Kurt Eisner, the leader of the Bavarian Revolution and the first Prime Minister of republican Bavaria, claimed that the knowledge of the whole truth would help forward the reconciliation of the nations, and published in the official *Bayrische Staatszeitung* of November 26, 1918, the alleged "Lerchenfeld document." This was a report on the crisis created by the Austro-Serbian conflict sent by Count Lerchenfeld, Bavarian Minister at Berlin, to his Government on July 18, 1914. It was a compromising document for the Imperial Government, for it asserted that that Government had encouraged Austria to make war on Serbia, knowing well that a general war would be the final result and doing nothing to avert it. Naturally, the "Lerchenfeld document" was eagerly exploited by Germany's enemies. The commission to decide responsibilities at the Peace Conference, and M. Barthou in his report, both made use of it to prove Germany's guilt.

This document was falsified, in that Eisner had suppressed an important part of the text containing evidence that the Imperial Government did not anticipate a general war and had even made every effort to localize the conflict between Austria and Serbia. Moreover, doubtless in order to give greater authority to the truncated document, Eisner had attributed it to Count Lerchenfeld, whereas the real author was Herr von Schoen, Councillor of Legation.

Was Kurt Eisner criminal? If in this falsification he was

deliberately sacrificing his country to party interests, he was a traitor, but—an extenuating circumstance—a traitor through fanaticism, and therefore virtually irresponsible. If he believed that a plea of guilty would gain Germany indulgence from her enemies, he was merely stupid, and in the event he would have realized it. In any case, the Entente countries refused to take account of the proved falsification, and to this day they quote Kurt Eisner's admissions.

Other German admissions have been inaccurately and tendenciously interpreted. Herr Kautsky, in his book *Wie der Weltkrieg entstand* ("How the World War Came"), is assuredly one of the most hostile witnesses against the Imperial régime and the policy of William II.; nevertheless, the author has the fairness to recognize (p. 92 of the German edition) that from July 28 William II. actually opposed war on Serbia. Yet in the *Figaro* of December 5, 1919, M. Hanotaux, of the French Academy, historian and former Minister of Foreign Affairs, said that Herr Kautsky's book proved that William II. "wanted a general war."

The same conclusion which M. Hanotaux drew from Herr Kautsky's book has also been drawn from the Memoir written by Dr. Mühlön. Dr. Mühlön, however, declared in the *Journal de Genève* of May 2, 1918, that this did not follow from what he had written; his contention was that the Emperor was responsible for the war because of his desire that Serbia should suffer sanguinary retribution. When Dr. Mühlön made this latter statement it was not known that that also was untrue, since after July 28 William II. harboured no such desire.

In general, the compilers of the German admissions, whilst criticizing and even condemning the Imperial policy, did not claim that Germany actually "wanted" war. Prince Lichnowsky seemed, indeed, inclined to argue in his Memorandum that she did. But he was obliged later on to alter his opinion. The *Temps* of April 8, 1919, published declarations of his which included the following :

At the last moment our rulers tried to draw back. . . . but too late; the Russian mobilization had come. After that they lost their heads, and the war party had control.

So much for the German "admissions."

vii

"SCRAPS OF PAPER"

A further "crime" charged against the Central Empires, especially Germany, is the violation of international law, and especially the violation of Belgian neutrality.

• Undoubtedly the latter was a violation of and even a crime against international law. But charges of crime should only be made by those who have themselves a clear record. History shows plainly that violations of treaties, even of the most important treaties, occur in the normal course of international politics. History shows that almost all the nations at war with Germany had committed, before the war, crimes comparable with the violation of Belgian neutrality; and that during the war they committed further similar crimes.

Let us glance at the more important violations of treaties which occurred before the war.

The Treaty of Vienna which established the new status of Europe in 1815 was violated several times. In 1830 Article 65, which set up the Kingdom of the Netherlands, was violated by the creation of the Kingdom of Belgium, after an insurrection, as a separate nation. In this case, France prevented Russia and Prussia from intervening to uphold the Treaty. The Treaty was violated a second time in the same year. Its first Article proclaimed the autonomy of Poland. In 1830 Russia suppressed her autonomy. Articles 6 and 9 of the Treaty created the Cracovian Republic; they were violated by Prussia, Austria and Russia, who suppressed that Republic in 1846. In 1848, Article 53 of the Treaty was violated by Prussia and the German Confederation. Under this Article the Grand-Duchy of Posen belonged to Prussia,

but was not to form part of the German Confederation. Yet a decree of April 14, 1848, incorporated with the Confederation "those portions of the Province of Posen in which the German element is predominant." In 1866, when the German Confederation was suppressed by Prussia, several clauses of the Treaty of Vienna, which had instituted the Confederation, were violated.

In 1870 Russia, in throwing off the shackles imposed on her by the neutralization of the Black Sea, violated the Treaty of Paris of March 30, 1856.

The Treaty of Berlin has been violated several times. By a series of violations of its stipulations Bulgaria grew from a small principality to a Balkan Power. Austria-Hungary, by a violation of Article 25 in 1908, annexed Bosnia and Herzegovina. Turkey violated the Treaty by failing to carry out the provisions of Articles 23 and 61, relating to Crete and the Armenians. The Treaty was also violated by Roumania's failure to carry out the provisions of Article 44, in regard to the Jews.

There were other violations of treaties before the world war. In 1877, when Great Britain annexed the Transvaal, she violated the Sand River Treaty of January 17, 1852, under which she had guaranteed its independence. In 1894 the Treaty of Ancon (1884) was violated by the failure to carry out the plebiscite for which it provided in regard to the provinces of Tacna and Arica. Russia, when she deprived Finland of her autonomy, violated the Treaty of Frederikshavn of September 17, 1809, in which she had engaged to maintain Finnish autonomy. The Clayton-Bulwer Treaty of April 19, 1850, under which Great Britain and the United States undertook that neither Power would endeavour to secure a privileged position over the other in the matter of the Panama Canal, was violated in practice, if not formally, by the United States at the close of the nineteenth century. Great Britain renounced her claims because it had become evident that the United States intended to disregard the

Treaty. France violated the Concordat, which she had concluded with the Holy See on July 15, 1801, when she proceeded in 1905 to the separation of Church and State. So high an authority as M. Ribot, speaking in the Chamber of Deputies on April 3, 1905, declared that this was so. In 1904 Japan, during the war against Russia, violated international law by declining to respect the neutrality of Korea.

Among the violations of treaties and of international law, apart from Belgium, which occurred during the world war, the two most important charges against the Entente were the violation of the neutrality of Greece and the violation of international maritime law which enabled the Allies to impose a hunger blockade upon the Central Empires.

The neutrality of Greece was violated by the Entente in three different ways. As soon as Turkey entered the war, the Allies occupied the Greek islands in the Ægean Sea, in order to operate the more easily against the Dardanelles. The Greek Government protested officially against this occupation. In September-October 1915, the Allies landed troops at Salonika to establish a base there for the Eastern army, which was to operate against Bulgaria, and through Serbia against Austria. The Greek Government protested anew against the landing. Later, the Allies established a base at Corfu for the reorganization of the Serbian Army. By the two first of these operations they violated the Fifth Hague Convention, which prohibits the passage of belligerent armies across the territory of neutral Powers, and which goes so far as to require neutral Powers to oppose such passage. In the case of Corfu, the Allies violated both the Fifth Convention and the treaties which had established the perpetual neutrality of the island, so that even if Greece had been a belligerent Corfu should not have been brought into any military operations.

The reasons put forward by the Entente by way of justification were invalid. There had been a Greco-Serb

Alliance, but it had reference only to a local war; this was recognized by M. Venizelos himself. Greece, therefore, was under no obligation to render assistance to Serbia, and it would have been difficult for her to do so.

In operating through Greece, in fact, the Allies violated the Fifth Hague Convention in the same way as Germany had done in operating through Belgium. Afterwards, not content when Greece, copying Luxemburg rather than Belgium, offered no resistance (as under the Fifth Convention she should have done), the Allies tried to induce her to take part in the war on their side. They deposed King Constantine on account of his opposition to this, alleging, as a pretext for his deposition, that he had violated the Constitution.

In the blockade of the Central Empires and the use of the weapon of starvation, the Allies incontestably violated international law. The Declaration of London of February 26, 1909, did not establish international maritime law, but codified the already existing law. In it the signatory Powers declared that the regulations contained in it "corresponded in substance with the generally recognized principles of international law." The "Yellow Book," which the French Government devoted to the Declaration, also contains the report of the principal French representative at the London Conference, M. L. Renault, a prominent lawyer, Professor of International Law at the University of Paris, and legal adviser to the Ministry of Foreign Affairs. In his report, M. Renault emphasized the importance of the statement made at the beginning of the Declaration, that it promulgated no new law but simply codified the existing law. The Declaration had not been ratified by the signatory Powers when the war began, but both Great Britain and France declared that they would respect its provisions. Later they changed their attitude, but they could not claim the right to do so on account of the non-ratification of the Declaration, because it contained only "generally recognized principles of international law."

There is a difference between absolute contraband, to which category arms belong, and conditional contraband, in which are included the means of existence. It is permissible to seize the former even when consigned to the enemy through a neutral country, but not the latter. Thus, the Central Empires had an indisputable right to obtain food supplies through the neutral ports of Holland and the Scandinavian countries. The Allies endeavoured to prevent this by blockading neutral countries. Before the United States came into the war, they protested against this violation of international law, which injured their trade, and there was an exchange of Notes on the question between the British and American Governments. The last Note from Mr. Lansing, the American Secretary of State, dated November 5, 1915, was published in full in *The Times* of November 8. In it Mr. Lansing defined the essence of the controversy as follows :

Even if goods listed as conditional contraband are destined to an enemy country through a neutral country, that fact is not in itself sufficient to justify their seizure.

In order to sustain their point of view the Allies were obliged to suppress the distinction between absolute and conditional contraband.

As soon as the United States came in, they joined in the blockade of the Central Empires, though they had condemned it in their correspondence with Great Britain—a striking proof of the fact that international law is invoked only when it is an asset, and violated whenever it is an embarrassment.

It should be mentioned that the submarine warfare, another "crime" charged against Germany, was merely her answer to the blockade, and that she made an offer to the Allies to abandon it if they would abandon the blockade.

In comparing the results of the violations of international law committed during the war by the Germans and the Allies, the following facts emerge. The Allies owed

their victory largely to a double violation of international law—the violation of the neutrality of Greece, which enabled them to attack the Central Empires from the south, the region in which their collapse began; and the blockade, which enabled them to starve out the enemy. Germany, on the other hand, owed her defeat in part to the violation of the neutrality of Belgium, which contributed to bring Great Britain into the war, and so led up to the submarine warfare which brought in the United States.

Will anyone argue that a “crime” is pardonable when it has proved profitable to those who committed it?

viii

THE EXTENSION AND PROLONGATION OF THE WAR

If the last war became the greatest disaster in history, it is partly because several nations joined the initial belligerents, the Franco-Russian and the Austro-German groups, and partly because of the long duration of hostilities. And in view of the determination to regard this greatest of disasters as the greatest of crimes, and to lay this crime to the charge of the Central Empires, especially Germany, the reprobation piled on their shoulders was proportioned to the extension and prolongation of the war. A little reflexion should show that this is not a logical way of reasoning. It could only be logical if the Central Empires knew when they attacked Serbia that a general war would ensue, and, further, if they were responsible for the prolongation of hostilities. It is well known that when Great Britain was at war with the Transvaal it occurred to certain European Governments to profit by her difficulties to settle old scores with her. There were even tentative inter-governmental soundings. It all came to nothing. But let us suppose that a European war had resulted from the Transvaal War. Let us suppose that as a result of the natural play of alliances and the intervention of States which were not even bound by alliances, that war had been prolonged and extended. Would it have

been logical to hold Great Britain responsible for that "crime"? Would it not have been more logical to hold those nations responsible which had taken advantage of her difficulties, not out of concern for the Transvaal but to serve their own interests? It is equally illogical to blame the Central Empires for all the misery which resulted from the prolongation of the world war.

At a reception of Italian journalists in Paris in January, 1920, Signor Nitti, then Prime Minister of Italy, said :¹

We must always remember that we willed this war, it was not forced on us. For this reason, if our people think that Italy has not obtained what she was out to obtain, they will turn on us and call us to account for their 500,000 dead.

What Signor Nitti had the frankness to admit in the name of Italy is equally true of all the nations which, in turn, entered the lists on one side or the other. War was not "forced" on them—they "willed" it. Each fought for some definite booty, and not for Serbia's sake or for any high ideal. It is irrational, therefore, to blame any but themselves for all the misery which resulted from the extension of the war.

The extension of the war gave rise to other unjust reproaches between belligerents on both sides. The Central Empires accused Italy and Roumania of "treason." But there was no "treason" in the course taken by these two nations, a course which their interests clearly required them to take. Again, the Entente accused Bulgaria of "felony." Bulgaria's "felony" was as unreal as the "treason" of Italy and Roumania. In general, in each belligerent camp those States which went over to the other camp were loaded with obloquy. A great advance towards general reconciliation will have been made when each and all agree to recognize that no one betrayed anyone and that all, even the vanquished, only acted as it was natural that they should.

¹ *Corriere della Sera*, January 6, 1920.

As regards the long duration of the war and all the misery that resulted from it, the responsibility was divided. But the greater responsibility rests with the Entente, for it was from that side that the excessive demands were formulated which forced the other side to prolong the struggle.

Had there been no other reasons, two alone, Alsace-Lorraine and Belgium, would have been enough to make the prolongation of the war inevitable. We have already seen that it was impossible for Germany to view the Alsace-Lorraine question as France viewed it. Thus from the moment when France made it plain that she would not lay down her arms until she had recovered Alsace-Lorraine, Germany was obliged to go on fighting till she was definitely beaten. Germany, for her part, made it plain that she had no intention of restoring Belgium to her pre-war condition. For the Allies, however, complete restoration was a question not merely of security but of honour. This intransigence on both sides made it doubly impossible to conclude a peace by compromise. But the Entente Powers showed intransigence in other matters, an intransigence less easy to understand. From the very first they declared their intention not merely of conquering the Central Empires, but of destroying them. On October 13, 1914, M. Isvolsky, after an interview with M. Delcassé, wrote to M. Sazonov: "France's principal aim—and in this respect the three Allied Powers are entirely at one—is the destruction of the German Empire and the weakening of the military power of Prussia as far as possible." During the interviews which Prince Sixtus of Bourbon had with M. Poincaré, then President of the French Republic, M. Poincaré reverted constantly to this idea of the destruction of Germany. When the Central Empires made peace proposals in December, 1916, the reply of the Entente was equivalent to a programme of destruction and rendered the prolongation of the war inevitable.

Germany was to be destroyed not only politically but

economically, as was made plain by the Paris Conference of June 1916.

Again, the Allies' declaration that they would come to terms only with a democratic Germany was bound to prolong the war. The democratic *Journal de Genève* of September 4, 1917, pointed this out. If the rôles had been reversed and the Central Empires had declared that they would only come to terms with a monarchical France, is it not clear that the Government of the French Republic would have seen in this a ground for fighting to the bitter end?

From the foregoing it is clear that the Central Empires cannot be held responsible for the misery which resulted from the prolongation of the war.

Now that the "crime" of these Empires has been defined, we can form a judgment as to the way in which it has been punished by the victorious Entente.

CHAPTER II

MR. WILSON'S PEACE PROGRAMME AS THE CONDITION OF THE ARMISTICE AND PRELIMINARIES OF PEACE

THE REAL TREASON OF THEMIS

DURING the peace negotiations the *Information* of March 16, 1919, published an article by M. Paul Adam, entitled "La Trahison de Thémis" ("Themis the Betrayer"), which attracted my attention. In each of the Entente countries the Press had been full of recriminations and complaints that national interests were being sacrificed in the Peace settlement. In each country comparisons were being made between the sacrifices which it declared it was being obliged to make and the very considerable advantages which it considered that its Allies were obtaining. M. Paul Adam's article was remarkable in that it presented a sort of synthesis of the disappointments and grievances of all the Entente countries instead of merely considering the case of France. It was the Entente in general that the goddess of justice was accused of betraying, since all the countries of the Entente were in danger of failing to obtain from the Peace the results which they had a right to expect.

This line of argument, embarked on during the peace negotiations, was continued after the conclusion of peace. This way, however, of looking at matters was not only unjustified by the facts, but threatened to create a dangerous state of mind. It threatened, after the Peace, to leave the disillusioned and discontented victors full of enmity towards the vanquished, and might even contain the germ of fresh wars. Moreover, as it was Mr. Wilson who was accused of

having prevented the European Allies from obtaining what they regarded as their right, deep resentment was displayed on all sides towards the United States. It might have been supposed that in coming to the aid of the Entente America had earned its enmity.

It seemed necessary, therefore, in order to avert the dangers which might arise from this state of mind, to show that the complaints were baseless; that the reality was precisely the reverse; that, if anyone had been betrayed by Themis, it was not the Entente but the opposite camp.

I had clearly realized this fact well before M. Paul Adam wrote his article. I had realized that the Entente was preparing to inflict on its enemies an infinitely harsher peace than that implied in the conditions formulated by Mr. Wilson, and on the promise of which the vanquished had laid down their arms and had left themselves defenceless in face of the victors. But though the truth was evident to me, and though it seemed to me to be essential to proclaim it, I asked myself whether I dared to proclaim it. For my task would be one of special difficulty—the denunciation of the real betrayer, the demonstration that it was the Entente that had been guilty of betrayal through its failure to adhere to its pledged word; through, that is, a breach of honour.

My perplexity had already been diminished by the perusal of certain judgments formulated in various Entente countries when Mr. John Maynard Keynes's striking book, *The Economic Consequences of the Peace*,¹ was published in London. The author had been one of the British delegation at the Peace Conference, as representative of the British Treasury and deputy for the Chancellor of the Exchequer. But he found it impossible to continue to associate himself with proceedings which he regarded as unjust. Having regained his freedom, he cleared his conscience by denouncing in this book the real treason of Themis.

¹ *The Economic Consequences of the Peace*, by John Maynard Keynes. London, Macmillan and Co., 1920.

I want specially to point out that what will be studied and criticized in this volume will be the work accomplished by the Peace Conference, independently of any modifications which may have been effected after the signing of the Treaties. For these modifications do not in any way alter the judgment that should be pronounced on the authors of the Treaties. The fact, for example, that the League of Nations ultimately admitted four of the vanquished States to membership does not alter the fact that the Peace Conference, in excluding them from the League, departed from Mr. Wilson's peace programme, which made the admission of all States its very first demand. The authors of the Treaties remain answerable for their disregard of the right of peoples to dispose of themselves, although their disregard has been rectified here and there as a result of events in which they had no part. The fact, for instance, that Great Britain, faced with insurrection in Egypt, agreed to grant Egyptian autonomy, does not alter the fact that the Peace Conference disregarded the rights of Egypt in drawing up the Treaties. The fact that Japan ultimately came to terms with China over the Shantung question cannot excuse the Conference for having virtually delivered over that Chinese province to Japan. To point out the errors committed by the Conference, even if they have since been repaired by others, will assist the formation of a judgment on its operations as a whole.

ii

THE NEGOTIATION OF THE ARMISTICE AND THE PACT OF
NOVEMBER 5, 1918

From the negotiations which took place between the Central Empires and the Entente for the conclusion of the Armistice there emerge two essential facts which dominate the whole question of the Peace—(1) that the Armistice agreements of November, 1918, disarmed the Central Empires to the point of rendering them completely unable to resume

hostilities; (2) that the Central Empires only signed these agreements on the promise that peace should be concluded on the basis of the programme laid down by Mr. Wilson.

On October 4, 1918, the Austro-Hungarian Government proposed to Mr. Wilson, through the intermediary of the Swedish Government, the immediate conclusion of an armistice with Austria-Hungary and her Allies, to be followed at once by negotiations for the conclusion of peace. On the subject of these negotiations the Austro-Hungarian Note said :

For [the peace negotiations] the Fourteen Points of President Wilson's Message to Congress of January 8, 1918, and the Four Points of his speech of February 11, 1918, should serve as a basis of discussion. Account should also be taken of the declarations made by President Wilson on September 27, 1918.

These are the Fourteen Points in Appendix A of this book, the Four Points in Appendix B, and the five in Appendix D.

On October 5 the German Chancellor, Prince Max of Baden, sent to Mr. Wilson through Swiss intermediation a note in the same sense. He wrote :

It [the German Government] accepts as a basis for peace negotiations the programme set forth by the President of the United States in his Message to Congress of January 8, 1918, and in his later pronouncements, especially his speech of September 27. With a view to avoiding further bloodshed, the German Government requests the immediate conclusion of an armistice on land and water and in the air.

This was a specific reference to the Fourteen Points in Appendix A and the five in Appendix D; the other "later pronouncements" referred to were the Points laid down in Appendices B and C.

Mr. Wilson did not send a collective and simultaneous reply to the Central Empires; he wrote separately to each, beginning with Germany. His reply to Germany, dated October 8, began as follows :

Before making reply to the request of the Imperial German Government, and in order that the reply shall be as candid and straightforward as the momentous interests involved require, the President of the United States deems it necessary to assure himself of the exact meaning of the Note of the Imperial Chancellor.

Does the Imperial Chancellor mean that the Imperial German Government accepts the terms laid down by the President in his address to the Congress of the United States on January 8 last and in subsequent addresses, and that its object in entering into discussions would be only to agree upon the practical details of their application?

The final phrase is of very great importance. It shows clearly that in Mr. Wilson's view the peace negotiations must bring no modification in his programme and must be confined to "practical details of application." This is corroborated by the German rejoinder which will be found below. The next section of Mr. Wilson's reply was of equal importance with the first part; it was as follows:

The President feels bound to say, with regard to the suggestion of an armistice, that he would not feel at liberty to propose a cessation of arms to the Governments with which the Government of the United States is associated against the Central Powers so long as the armies of those Powers are upon their soil. The good faith of any discussion would manifestly depend upon the consent of the Central Powers immediately to withdraw their forces everywhere from invaded territory.

The demand that the Central Empires should evacuate the enemy territory which they occupied was a departure from usual custom. The customary practice during an armistice is for each side to remain in the position which it occupied at the cessation of hostilities. The demand for evacuation placed the Central Empires in a position of inferiority.

On October 12, Herr Solf, the State Secretary of the German Foreign Office, replied to the American Note as follows; I have italicized the essential passages:

The German Government has accepted the terms laid down by President Wilson in his address of January 8, 1918, and in his subsequent addresses on the foundation of a permanent peace of justice. *Consequently its object in entering into discussions would be only to agree upon practical details of the application of these terms.*

The German Government believes that the Governments of the Powers associated with the Government of the United States also adopt the position taken by President Wilson in his address.

The German Government, in accord with the Austro-Hungarian Government, for the purpose of bringing about an armistice declares itself ready to comply with the propositions of the President in regard to the evacuation.

This German reply confirmed that the peace negotiations were not to involve the modification of Mr. Wilson's conditions, but were to relate simply to the practical details of application. Moreover—a very important fact—the German Government guarded itself against any possible misunderstanding by asking the American Government whether it agreed that the other Entente Governments, in whose name it was speaking, were in agreement with it as to the bases of peace, a fact which the American Government itself subsequently confirmed.

In a Note of October 23, replying to one of the 20th from the German Government, Mr. Lansing, the United States Secretary of State, wrote as follows. I have underlined three passages.

Having received the solemn and explicit assurance of the German Government that it unreservedly accepts the terms of peace laid down in his address to the Congress of the United States on January 8, 1918, and the principles of settlement enunciated in his subsequent addresses, particularly the address of September 27, and that it desires *to discuss the details of their application*, and that this wish and purpose emanate not from those who have hitherto dictated German policy and conducted the present war on Germany's behalf, but from Ministers who speak for the majority of the Reichstag and for an overwhelm-

ing majority of the German people; and having received also the explicit promise of the present German Government that the humane rules of civilized warfare will be observed both on land and sea by the German armed forces, the President of the United States feels that he cannot decline to take up with the Governments with which the Government of the United States is associated the question of an armistice.

He deems it his duty to say again, however, that the only armistice he would feel justified in submitting for consideration would be one which would leave the United States and the Powers associated with her in a position to *enforce any arrangements* that may be entered into, *and to make a renewal of hostilities on the part of Germany impossible.*

It will be remarked that it was specified once more that the object of the negotiations was to be "to discuss the details of application" of the terms of peace laid down by Mr. Wilson. It would not be justifiable to attempt to argue, as has been done, that the phrase "any arrangements" could imply any modification of the terms of peace mentioned at the beginning of the Note. The very important passage which says that the armistice conditions must "make a renewal of hostility on the part of Germany impossible" must also be borne in mind.

We come now to a document of capital importance. On November 5 the American Secretary of State advised the German Government that the President had received the "memorandum of observations" sent by the Allied Governments in reply to his suggestion to conclude peace on the basis of the conditions which he had put forward and Germany had accepted. The reply of the Allied Governments may conveniently be considered in three sections. It began as follows :

The Allied Governments have given careful consideration to the correspondence which has passed between the President of the United States and the German Government. Subject to the qualifications which follow, they declare their willingness to make

peace with the Government of Germany on the terms of peace laid down in the President's address to Congress of January 8, 1918, and the principles of settlement enunciated in his subsequent addresses.

Thus the Entente Governments were entirely in agreement with the Government of the United States in accepting the terms of peace laid down by Mr. Wilson and accepted also by Germany. In the quotations from the correspondence which have been made it must be noted that the documents are precise both in substance and in form. In their Notes to the American Government the German and Austro-Hungarian Governments spoke, as we saw, of concluding peace "on the basis" of the conditions laid down by Mr. Wilson. In any clear and honest view this was synonymous with "on the conditions." Yet there have been emulators of Escobar who have tried to build up on this expression "on the basis" a claim that Mr. Wilson's terms of peace were simply a "basis" which could be extended at will. The attempt has even been made to claim that these terms were simply a "point of departure." As we saw above, the American Government, in its Notes to the German Government, did not itself employ this expression "on the basis." Nor, as we see, did the other Entente Governments make use of the expression. They declared their readiness to conclude peace "on the terms" laid down by Mr. Wilson. For the rest, this interpretation was corroborated by the next section of the reply of the Allied Governments to the American Government, which ran as follows :

They must point out, however, that Clause II., relating to what is usually described as the freedom of the seas, is open to various interpretations, some of which they could not accept. They must, therefore, reserve to themselves complete freedom on this subject when they enter the Peace Conference.

If the Entente Governments did not consider that the acceptance of Mr. Wilson's terms of peace bound them to their strict observance, why should they have made in

advance this reservation in regard to one of the Fourteen Points? If these Fourteen Points, and the other ones, had been merely a "basis" committing them to nothing, why not have waited until they were assembled around the green table to say that they did not accept the second of the Fourteen Points? This is incontestable proof that they regarded themselves as bound in advance by the acceptance of Mr. Wilson's terms of peace. The same applies to the reservation which Mr. Wilson made in his reply to Austro-Hungary, which will be dealt with later.

The third section of the reply of the Allied Governments to Mr. Wilson ran as follows. It will be discussed later when we come to the subject of Reparations.

Further, in the conditions of peace laid down in his address to Congress of January 8, 1918, the President declared that invaded territories must be restored as well as evacuated and freed. The Allied Governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the civilian population of the Allies and their property by the aggression of Germany by land, by sea, and from the air.

With regard to this stipulation, as with the reservation concerning the freedom of the seas, I will say no more than this for the moment: The very fact that the precaution was taken of making it in advance was a proof that Mr. Wilson's terms of peace were not considered by the Allies as a basis with which they could do whatever they liked.

Having communicated this Allied reply to the German Government, Mr. Lansing continued as follows in his Note of November 5:

I am instructed by the President to say that he is in agreement with the interpretation set forth in the last paragraph of the memorandum above quoted.

I am further instructed by the President to request you to notify the German Government that Marshal Foch has been authorized by the Government of the

United States and the Allied Governments to receive properly accredited representatives of the German Government and to communicate to them the terms of an armistice.

November 5, 1918, may thus be considered as the date of the Pact concluded between the Entente and Germany on what, save for the reservation of the details of application, were to be the conditions of peace. In what follows I shall accordingly speak of "the Pact of November 5, 1918."

As regards Austria-Hungary, her Note was replied to by the American Secretary of State on October 18.

It will be seen that the tenth Point in Appendix A runs as follows :

The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.

In his reply, however, of October 18, Mr. Lansing advised the Austro-Hungarian Government that Mr. Wilson was no longer at liberty to hold to this Point, as since that sentence was written the Government of the United States had recognized that a state of belligerency existed between the Czechoslovaks and the Central Empires, and since the Government had recognized the justice of the aspirations of the Jugoslavs for freedom.

The President (concluded Mr. Lansing) is, therefore, no longer at liberty to accept a mere "autonomy" of these peoples as a basis of peace, but is obliged to insist that they, and not he, shall be the judges of what action on the part of the Austro-Hungarian Government will satisfy their aspirations and their conception of their rights and destiny as members of the family of nations.

It will be remarked that in this Note Mr. Wilson did not demand independence for the populations of Austria-Hungary, and especially the Czechoslovaks and the Jugoslavs, but their liberty to claim independence if they so

pleased. As will be seen later, these populations were not consulted by way of plebiscite. It was assumed that they desired independence.

The Armistice agreements concluded by the Entente States with Germany and her allies carried out the intention which Mr. Wilson had communicated to the German Government. They placed Germany and her allies in a position in which it was impossible for them to resume hostilities; they rendered them defenceless and placed them at the mercy of their enemies.

The situation was thus what I have already described: on the promise of definite terms of peace which appeared to them acceptable, the enemies of the Entente had agreed, not only to the cessation of hostilities, but also to a measure which constituted an innovation—their disarmament to a degree which made it out of the question for them to resume hostilities.

What should one say of a belligerent who in such a situation, having disarmed his enemy by means of a promise of definite conditions of peace, proceeded to profit by the enemy's powerlessness and inability to defend himself, to impose on him terms of an infinitely harsher and a ruinous character? Article 23 of the Fourth Hague Convention concerning the Laws and Customs of War on Land says that—

It is especially forbidden to kill or wound an enemy who, having laid down his arms, or having no longer means of defence, has surrendered at discretion.

This belligerent would have done something of this sort, but with this difference, that his enemy, in laying down his arms, had not surrendered at discretion, but, on the contrary, on the promise of definite terms of peace.

iii

SOME SOPHISMS CONCERNING THE ARMISTICE AND
THE PEACE

The sophism of confusing two entirely different things was pronounced in the *Journal de Genève* of February 18, 1919, by its Paris correspondent, who argued as follows :

The Americans sometimes see things from a rather distant and elevated point of view. They seemed inclined to interpret the original Armistice agreement as a sort of bilateral arrangement, with the force of a preliminary treaty of peace. This view is certainly mistaken, for, as drawn up, this agreement was simply a military measure applicable for a limited period.

This correspondent was confusing the Armistice agreement with the Notes exchanged between the American and German Governments, Notes which had promised Germany, in the name of the Entente States, a peace on the Wilsonian principles. It is these Notes which had the force of "a preliminary treaty of peace." It was on the promise of this peace that the Armistice agreement was concluded. And it was not necessary to "see things from a rather distant and elevated point of view" in order to wish to keep this promise.

Still more dangerous were the sophisms of M. André Tardieu, not only because of his more formal presentation of them, but because of the authority which they gained from his having been a member of the French delegation at the Peace Conference. As one of the authors of the Treaty of Versailles, it is his own work and his own prestige which he defends in defending the Treaty. In his apologia for this Treaty he is ready for any dialectical audacity. He wrote in *Illustration* a series of articles in praise of the work of the Peace Conference, and subsequently published a book, *La Paix*,¹ reproducing the essence of these articles. On the occasion of the second anniversary of the Armistice he pub-

¹ English Edition, *The Truth about the Treaty*. Hodder and Stoughton, 1921.

lished in *Illustration* of November 6, 1920, an article for which he consulted "all the written and oral testimony," and in which he tells the story of the negotiations which led up to the cessation of hostilities. This article will be referred to in subsequent chapters of the present book, and will only be dealt with here so far as concerns its principal subject—namely, the engagements to which the Pact of November 5 and certain other agreements bound the Entente. For in this article M. Tardieu makes another attempt to deny the existence of these engagements.

M. Tardieu opens with the following proposition, laid down with the utmost confidence :

The Armistice of November 11, 1918, was an unconditional capitulation on Germany's part. It had this meaning at the moment of signature in the view of those who imposed it and of those who submitted to it. This meaning had been given to it by the four months of military and political history of which it was the conclusion.

In saying that the Armistice was an unconditional capitulation, Mr. Tardieu does not mean to speak of it from the military point of view. From this point of view it is admitted that Germany surrendered absolutely, virtually at discretion, since she surrendered in such a way as to be unable to begin war again. M. Tardieu means to speak of it from the political point of view; he means that Germany surrendered "unconditionally," in the sense that she agreed that the victors were at liberty to impose on her whatever terms of peace they chose. Here we have one of those stratagems of which the dialectics of M. Tardieu are made up. The obvious intention is to create confusion in the mind of a reader between the "unconditional" submission which is clearly revealed by the clauses of the Armistice agreement and the same notion of "unconditional" submission in connexion with the conclusion of the peace, with which his purpose is to associate it. His method of reasoning may impose on an inattentive or ill-informed reader, but not on

any other. At one moment in his demonstration he cries out triumphantly (*La Paix*, p. 65): "This time Germany was tied, with hands and feet bound, to the Wilsonian argument. As she could not break away, she gave in." Germany did indeed "give in," and even "with hands and feet bound," but only in a military sense, and not a political sense, as M. Tardieu would have the reader imagine. She gave in, and allowed herself to be militarily bound hand and foot, because she believed that under the Pact of November 5 she had a guarantee that her adversaries would impose on her, politically, only the conditions which ensued from this Pact. It is true that M. Tardieu so arranges that his reader shall not have any exact account of these conditions. In a book as voluminous as *La Paix* (520 pages), one might have expected to find not only the full text of the Fourteen Points, but also the other series of Points. On page 92 there is an abbreviated summary of the Fourteen Points, not even given in the order in which Mr. Wilson enunciated them. That is all. Did M. Tardieu fear that if Mr. Wilson's whole programme were given its contrast with the final peace conditions would appear too violent?

The more it is shown that, militarily, Germany "delivered herself up, bound hand and foot," the clearer it will be made that she cannot conceivably have delivered herself up in the same manner in regard to her political fate, and the stronger will be the light thrown on the incorrect action of the Entente in first promising its adversary definite terms of peace, then binding him hand and foot, and then taking advantage of his condition to alter its terms.

To return to M. Tardieu's argument, one finds him showing that, far from "capitulating unconditionally," from the political point of view, Germany capitulated on the conditions contained in Mr. Wilson's peace programme, or, in other words, in the Pact of November 5, 1918. This fact emerges also from M. Tardieu's own self-contradictions. Here is one instance of M. Tardieu refuting himself:

On October 8 Mr. Wilson replied to the German Note of the 5th—a brief reply which visibly struck consternation into its recipients. No conversations, declared the President, could be allowed either concerning the Peace or the Armistice until guarantees had been furnished, and these guarantees were the acceptance, pure and simple, of the bases of peace laid down on January 8 and in the subsequent addresses.

This passage shows clearly that Mr. Wilson did not demand Germany's "unconditional capitulation," but capitulation on the conditions which he had laid down in his various addresses.

Here is a second instance of M. Tardieu refuting himself. He points out that on October 23 Mr. Wilson had asked the Allies the two following questions :

1. Regarding the peace, and in view of the assurances given by the Chancellor, are the Associated Governments ready to conclude peace on the terms and according to the principles already made public ?

2. Regarding the Armistice, and if the reply to the previous question is in the affirmative, are the Associated Governments ready to ask their military advisers and the military advisers of the United States to submit to them the necessary conditions which must be fulfilled by an armistice such as will protect absolutely the interests of the peoples concerned and assure to the Associated Governments unlimited power to safeguard and impose the details of the peace to which the German Government has consented, provided always that the military advisers consider such an armistice possible from a military point of view ?

It is clear from this passage that in Mr. Wilson's view the armistice which was to disarm Germany was not to be an "unconditional capitulation," but was to be imposed only if the Entente Powers agreed to conclude peace "on the terms and according to the principles already made public"; that is, on the conditions laid down in his peace programme. It will, moreover, be noted that Mr. Wilson's second paragraph spoke of "imposing the details," not of

an undefined peace, but of "the peace to which the German Government has consented"; that is to say, the peace defined in paragraph 1.

After reproducing these two questions of Mr. Wilson's, M. Tardieu says: "I do not believe that ever problem was more clearly defined." Exactly so. And no one will believe that M. Tardieu failed to understand so clear a matter; it will be preferred to conclude that his intention was to impose on people, unless, indeed, he found any satisfaction in refuting himself.

On pages 69-71 of *La Paix*, M. Tardieu reproduces the letter which Marshal Foch sent to M. Clemenceau on October 27, 1918, giving his view as to an armistice which could "protect absolutely the interests of the Allied peoples and assure to the Associated Governments unlimited power to safeguard and impose the details of the peace to which the German Government has consented." Foch himself reproduced Mr. Wilson's words at the head of his letter. Having reproduced Marshal Foch's letter, M. Tardieu says:

This letter needs no commentary. Marshal Foch had listened and reflected. He had put himself the question which he used to recommend his pupils to put themselves—"What is the matter in hand?" To break Germany's fighting power; to compel her to submit to whatever may be the terms of peace.

The matter which was really in hand was to break Germany's fighting power, to tie her hand and foot, in order to impose on her not "whatever may be the terms of peace," but the terms "to which the German Government consents"; that is to say, the terms of the Pact of November 5, 1918.

A third time M. Tardieu refutes himself, in reproducing the following reply sent by the Entente Governments to Mr. Wilson's Note of October 23, 1918:

The Allied Governments have given careful consideration to the correspondence which has passed between the President of the United States and the German Government.

Subject to the qualifications which follow,¹ they declare their willingness to make peace with the Government of Germany on the terms of peace laid down in the President's address to Congress of January 8, 1918, and the principles of settlement enunciated in his subsequent addresses.

This passage shows clearly that the Entente Governments did not expect from Germany an "unconditional capitulation," but a capitulation on the conditions laid down by Mr. Wilson.

It will readily be understood that the negotiators and signatories of the Treaty of Versailles and the other Treaties should be making desperate efforts to establish as a fact the legend of unconditional surrender. It is unlikely to have escaped them that whatever blame may be incurred by the victors for the peace of 1919 will fall on them, and with justice.

The more highly placed the person who puts forward an historic lie, the greater the scandal of his action. M. Poincaré, a former President and Prime Minister of France, in his speech at Champenoux on September 23, 1923, said :

On November 11, 1918, the Armistice was signed, and by the magnanimity of the Allies the remnants of the German armies were saved from total destruction. Germany, who had capitulated and surrendered at discretion, was soon to forget the generosity of which the victors had given evidence.

In saying this, the head of the French Government must have known that he was uttering an historic lie ; that neither Germany nor her Allies had surrendered "at discretion" ; that they had, on the contrary, surrendered on the formal promise of a peace based on the Fourteen and other Points. It is not clear, therefore, what "generosity" she could have seen in the fact that the victors had violated this Pact from beginning to end.

¹ These referred to the freedom of the seas and to reparations. See pages 44 to 46.

The following passage may be quoted from the declarations made by Marshal Foch in the *Matin* of November 9, 1920 (third edition) :

What is an armistice? An armistice is a suspension of arms, a cessation of hostilities of which the object is the discussion of peace, the Governments which have agreed to it being placed in such a position that they can impose the terms of peace on which they have decided.

Did the armistice which I signed on November 11, 1918, fulfil this object? Yes; for on June 28, after seven months of negotiation, Germany accepted all the Allies' conditions. I had said to M. Clemenceau, the Prime Minister: "Here is my armistice. You may now make whatever peace you like; I am in a position to impose it." If the peace has not been a good one, is it my fault? I did my part; it was for the politicians and the heads of Governments to do theirs.

The Marshal's theory of the character of an armistice is absolutely untenable. It is contrary to common sense and to the most elementary morality, and it is, moreover, contrary to historic fact. Generally, as many historic examples show, an armistice leaves matters as they stood at the suspension of hostilities. Without going farther back than the world war, one may quote the Brest-Litovsk armistice as typical. As a matter of plain logic and plain morality, it is obvious that no belligerent State would be prepared to conclude an armistice if in doing so it accepted in advance whatever conditions it might please the enemy to impose on it. Such an armistice as that of November 11, 1918, is an exception in history, and can only be understood when considered in connexion with the general terms of peace.

In setting forth this theory, did Marshal Foch err out of ignorance of the facts or out of opportunism? In the latter case his intention must have been either to justify what was done after the Armistice which he had concluded, or to justify his own action in view of the sequel. For he does not conceal the fact that he would have preferred to see imposed on Germany a peace even harsher than that of Ver-

sailles, which itself represents a grave breach of engagements entered into, as will be shown later.

The seriousness of this breach is indicated clearly in the admission made by Marshal Foch in the second section of the declaration just quoted—namely, that when the Entente imposed the Peace of Versailles on Germany she was so completely disarmed, so completely powerless, that any peace terms whatever could have been imposed on her at will.

In the autumn of 1918 the Entente view of the responsibility for the war had long been a settled matter: it lay entirely with the Central Empires.

If, however, the peace conditions were to represent the sanction imposed for the "crime" of these Empires, this sanction should have found place in Mr. Wilson's programme and in the Pact of November 5, 1918. Even if, after the conclusion of the Pact, it had become apparent that the responsibility of the vanquished was graver than had been supposed—the actual position was the contrary—the Entente would still have been bound by its engagements.

Instead, from the day when the Entente had taken the resolution to break its engagements, its tactics consisted in laying all possible stress on the question of responsibility, in exaggerating the responsibility of the vanquished, in order to use the confusion so created to cover its own failure to keep its engagements.

In other words, the Peace of 1919 is to be condemned in proportion as it departs from Mr. Wilson's programme, quite apart from the question of responsibility for the war.

CHAPTER III

FROM MR. WILSON'S PROGRAMME TO THE LEONINE PEACE

i

CYNICISM AND HYPOCRISY

ANYONE of good faith who devotes even a little attention to the treaties which concluded the war, especially the Treaty of Versailles, and who compares their clauses with Mr. Wilson's programme, and especially with the Pact of November 5, 1918, will see clearly how absolute is the contradiction between them. In other words, the Entente broke the promises which it had made to the Central Empires in order to induce them to disarm to a point at which it was utterly impossible for them to resume hostilities.

It is, of course, impossible to make here a complete and detailed study of these treaties, or to show every one of the contradictions between their clauses and the Wilsonian principles. The subject will only be examined in its broad lines; the examination will, however, be carried far enough to show clearly the character of the work that was done, especially so far as concerns the violation of promises given. In the course of this examination I shall have to refer not only to Mr. Wilson's programme and to the text of the Treaty, but also to the following documents :

1. The Memorandum¹ addressed by the Allied and Associated Powers to the German delegation at the Peace Conference, replying to the observations which the delegation had made on the peace proposals submitted to it; and the covering letter sent with this Memorandum. These two

¹ Reply of the Allied and Associated Powers to the Observations of the German Delegation on the Conditions of Peace. Miscellaneous No. 4 (1919). Cmd. 258.

documents, which were published by the *Temps* on June 18, 1919, will be described as "the Memorandum to Germany" and "the covering letter to Germany."

2. The report on the Treaty of Versailles, presented by M. Louis Barthou to the Peace Committee of the French Chamber. This report, which was published by the *Temps* on August 7 and 8, 1919, will be described as "M. Barthou's report."

3. M. Clemenceau's speech in the French Chamber on September 25, 1919, on the Treaty of Versailles. This will be described as "M. Clemenceau's speech in the Chamber."

4. M. Clemenceau's speech in the French Senate on October 11, 1919, on the Treaty of Versailles. This will be described as "M. Clemenceau's speech in the Senate."

5. Mr. Lloyd George's speech in the House of Commons on July 3, 1919, on the Treaty of Versailles. This will be described as "Mr. Lloyd George's speech in the House of Commons."

Among these documents, the Memorandum and covering letter to Germany will certainly go down to posterity as psychological rather than as diplomatic documents. For they are masterpieces of combined hypocrisy and cynicism. They fly in the face of evidence with imperturbable audacity, and with no less audacity they make statements which will not stand the most superficial examination. There is, indeed, an element of the comic in the surprise they affect, sometimes with an air of injured innocence, at the suggestion that there can be any contradiction between the peace conditions and the Wilsonian principles.

To tell the truth, it would have been difficult to get out of the dilemma in any other way, and this for a reason which one might almost say was to the credit of the Peace Conference. This Conference was less audacious than other authorities in that it did not attempt to ignore the existence of the Pact of November 5, 1918, which had the force of preliminaries of peace. The Memorandum to Germany says :

' The Allied and Associated Powers are in complete accord with the German Delegation in their insistence that the basis for the negotiation of the Treaty of Peace is to be found in the correspondence which immediately preceded the signing of the Armistice on November 11, 1918. It was there agreed that the Treaty of Peace should be based upon¹ the Fourteen Points of President Wilson's address of January 8, 1918, as they were modified by the Allies' memorandum included in the President's note of November 5, 1918, and upon the principles of settlement enunciated by President Wilson in his later addresses, and particularly in his address of September 27, 1918. These are the principles upon which hostilities were abandoned in November, 1918, these are the principles upon which the Allied and Associated Powers agreed that peace might be based, these are the principles which have guided them in the deliberations which had led to the formulation of the Conditions of Peace.

This was a formal recognition by the Entente of the Pact of November 5, 1918, and this statement may be quoted against those who would replace this Pact by the Armistice Agreement of November 11, by an "unconditional capitulation." Since, however, the diplomats of the Entente had to show that the Pact had not been violated, they were forced to take refuge in cynicism and hypocrisy. Hence the unedifying character of the Memorandum and covering letter to Germany.

There are, in the Treaty of Versailles, a certain number of clauses which are in agreement with the Pact of November 5, 1918. There are others, more numerous, which are definitely in contradiction with the Pact. Other clauses of the Treaty are in agreement with certain stipulations of the Pact but in contradiction with others. Very many clauses, without definitely conflicting with the Pact, find no justification in any of its stipulations. Certain of Mr. Wilson's general principles find application in certain

¹ It must be repeated that in the memorandum from the Allies contained in the American note of November 5, 1918, it was stated that the Allies were ready to conclude the peace "*on the terms*" indicated by Mr. Wilson.

clauses of the Treaty; as, however, they are only applied where they work against the vanquished, their application amounts to an injustice. Certain clauses clearly contain traps.

Not only do many clauses of the Treaty run counter to the Wilsonian principles, but others prove to be clear violations of certain generally recognized principles of international law. For example, the Treaty contains an exceedingly serious innovation in that private property is no longer respected, the victors seizing it as though it were the property of the enemy State.

It is amazing that it should be possible to make these statements when it is remembered that the negotiations concerning the Pact of November 5, 1918, were to be confined to "practical details of application."

With these preliminary remarks we will proceed to a more detailed examination of the principal clauses of the Treaty.

ii

"THE NIGHT OF THE CONFERENCE"

In any clear and honest view, the first Point in Appendix A, the first of the Fourteen Points, providing for "open covenants of peace, openly arrived at," implied an innovation in the conduct of peace negotiations. It implied that the negotiations would be conducted with less of mystery and more of publicity than formerly. An innovation there was, but in the opposite sense. Not only were the negotiations surrounded with more mystery than ever before, but they contained this entirely new feature: the other party to the negotiations was excluded from them, the Entente claiming to impose on it treaties in the elaboration of which it was allowed no hand. After the event the attempt was made to misrepresent Mr. Wilson's intentions, and to make out that he did not say what this first Point actually said. It was suggested that what he meant was

simply that the result of the negotiations should not be kept secret. Yet it would indeed have been an extraordinary thing to have kept secret the treaties which ended the war!

In his speech of January 8, 1918, which contained the Fourteen Points, Mr. Wilson had said :

It will be our wish and purpose that the processes of peace when they are begun shall be absolutely open, and that they shall involve and permit henceforth no secret understandings of any kind.

Is this clear? Do not these words condemn in advance the way in which the negotiations were conducted?

In the French Chamber of Deputies on September 16, 1919, M. Viviani, ex-Prime Minister, after referring to the great ideas which had inspired the Allies during the war, spoke as follows :

It was difficult, despite their simplicity, to secure the triumph of these great ideas until victory had been achieved. Once victory had been achieved, it seemed to us very easy to impose them, since every free people had been fighting for these ideas. And once we were withdrawn from the great light which these great ideas threw over us, we penetrated little by little into the *night of the Conference*.

With the aid of a method which I regard as vicious, the Conference, in the very moment in which it invoked the principles of international democracy, repudiated its procedure. It organized around itself—silence.

But what we are more especially concerned with here is the Pact of November 5, 1918, and there can be no doubt that it was violated by the failure to observe the first Point; that is to say, by the non-publicity of the negotiations and by the fact that the Central Empires were not admitted to them. This made it impossible for them to defend their interests at the Conference during the elaboration of the treaties, as they should have been able to do in conformity with the usage always before observed.

iii

THE LEAGUE OF NATIONS

In any clear and honest view the fourteenth Point in Appendix A implied the formation of a League of Nations embracing all the nations which desired to enter it, and not merely those which it pleased the Entente to admit, with the conquered nations excluded. Their exclusion was a clear violation of the Pact of November 5, 1918, at the cost of Germany and her Allies.

The reasons offered on the Entente side in justification of this exclusion will not bear examination. Mr. Wilson himself refuted them in advance when he said, in his speech of September 27, 1918 :

As I see it, the constitution of that League of Nations and the clear definition of its objects must be a part, in a sense the most essential part, of the peace settlement itself. It cannot be formed now. *If formed now, it would be merely a new alliance confined to the nations associated against a common enemy.* It is not likely that it could be formed after the settlement. It is necessary to guarantee the peace, and the peace cannot be guaranteed as an after-thought.

The words which I have italicized in this quotation leave no possible doubt that Mr. Wilson meant to include in the League of Nations the peoples with whom the Entente was at war. To attempt to deny this is to fly in the face of the evidence and to show singularly bad faith. In spite of this, the Entente excluded the conquered nations from the League.

In the covering letter to Germany we find this opening argument advanced in the name of the democratic principle :

The German revolution was delayed until the very last moments of the war, and the Allied and Associated Powers have as yet no guarantee that this revolution represents an enduring change.

Before the German revolution, Mr. Wilson had expressed the opinion that only free nations—that is, democratic

nations, could be admitted into the League of Nations. Before, however, it entered into negotiation with the German Government for the conclusion of the Armistice, the American Government had taken care to satisfy itself that the new Germany actually had this democratic character. It considered, moreover, that it had obtained satisfaction on this point even before Germany became a republic and adopted institutions still more democratic than those of the Entente countries. At the moment of the conclusion of the Peace the new German constitution had not definitely been voted, but there could no longer be any doubt as to the essentially democratic orientation of the new Germany.

The Memorandum to Germany contains equally baseless arguments in justification of her exclusion from the League of Nations. Reliance is placed on two passages in Mr. Wilson's speech of September 27, 1918. One of these immediately precedes and the other immediately follows the critical passage which I quoted above to show that the American President did not want to exclude Germany and her Allies from the League, the critical passage which contains these words: "If formed now, it would be merely a new alliance confined to the nations associated against a common enemy."

This critical passage is preceded by the following :

'The price is not only impartial justice but also the satisfaction of the several peoples whose fortunes are dealt with. That indispensable instrumentality is a League of Nations, formed under covenants that will be efficacious. Without such an instrumentality by which the peace of the world can be guaranteed, peace will rest in part upon the word of outlaws, and only upon that word. For Germany will have to redeem her character, not by what happens at the peace table, but by what follows.

And it is followed by this :

The reason—to speak in plain terms again—why peace must be guaranteed is that there will be parties to the peace whose promises have proved untrust-

worthy, and means must be found in connexion with the peace settlement itself to remove that source of insecurity. It would be folly to leave the guarantee to the subsequent voluntary action of the Governments we have seen destroy Russia and deceive Roumania.

In any clear and honest view there is nothing in these two passages to weaken the conclusion which follows naturally from the intervening passage. There is nothing which could be interpreted as signifying the exclusion of Germany and her Allies from the League. Yet the Memorandum to Germany, which is careful not to reproduce the critical intervening passage, quotes parts of the two other passages in support of the contention that in Mr. Wilson's speech of September 27, 1918, "he laid down with the greatest precision the conditions which must govern Germany's admission."

Finally, the Memorandum to Germany contains this exceedingly comic contention :

President Wilson's declarations envisaged no league of nations which would include Germany at the outset, and no statement of his can be adduced in support of this contention (Cmd. 258, 1919, p. 5).

It is true that neither the fourteenth Point nor any other declaration specifically mentions Germany. But neither is any other nation specifically mentioned. If, then, Germany was to be excluded from the League because her entry had not been specifically provided for, every other nation could have been excluded for the same reason till, for lack of members, there was no League. If such an argument could be raked up, must there not have been a great dearth of serious arguments ?

What did their exclusion from the League mean for Germany and her allies ? Was it a matter of small importance ? In his fourteenth Point Mr. Wilson defined the purpose of the League as follows : " The purpose of affording mutual guarantees of political independence and territorial integrity to great and small States alike." It was thus to be a league of mutual protection. Germany, however, and

her former allies were not only excluded from this league of mutual protection ; they were excluded after being disarmed. In other words, they were delivered over to the first adversary that might arise, without hope of protection. In his speech in the House of Commons, Mr. Lloyd George said triumphantly that Germany would no longer be able to hold her own even against Czechoslovakia. But what is still graver is that Germany was not only excluded, in common with her former allies, from a grouping from which she would have been able to claim protection ; she found this grouping transformed into an alliance directed against her and her former allies, a sort of aggrandized Entente.

The declaration of the Socialist group in the French Chamber, which was published by *Humanité* on October 3, 1919, contains the following declaration in regard to the League of Nations :

The League of Nations, which should have been the supreme guarantee of the peace, as it was its supreme hope, is bringing to the peoples their bitterest disappointment. In its present form it permits the continuance of the right of war, and appears to be primarily the instrument of the dictatorship of the five Great Powers, a dictatorship caring nothing for the international co-operation which could alone put life into the institutions of the League. The League of Nations, in not admitting the enemy Powers of yesterday, remains essentially a League on the balance of power principle, instead of becoming the great harmonious whole which was to have taken the place of the system of antagonistic alliances out of which the war came.

And the result is precisely to continue the death-dealing practices of secret diplomacy.

General disarmament, which was to have been the essential aim, is rendered more distant by this new organization of the world.

In other words, the League of Nations had become what Mr. Wilson foresaw that it would become if it were founded during the war—a fresh alliance against the common enemy whom the Entente Powers were fighting.

It is impossible, then, not to recognize that in regard to the very important question of the League of Nations there was a grave violation of the Pact of November 5, 1918, to the injury of Germany and her former Allies.

iv

GERMANY'S FRONTIERS

Articles 27 to 30 of the Treaty of Versailles establish in general terms Germany's new frontiers. Other articles deal in more detail with the territories separated from Germany by this new delimitation. In forming a judgment as to the way the new frontiers of Germany compare with the provisions of the Pact of November 5, 1918, it will be best to take the detached territories one by one.

v

THE LEFT BANK OF THE RHINE

The question of the left bank of the Rhine played a very important part in the peace negotiations, and may in the future lead to big international complications. It was dealt with in two separate parts of the Treaty of Versailles. In Part III., which contains the clauses dealing with European political questions, Articles 42, 43, and 44 provide for the permanent demilitarization of the left bank. In Part XIV., which is concerned with the guarantees of the execution of the Treaty, Articles 428 to 432 provide, as a guarantee, for the temporary occupation of the left bank by inter-allied troops. It will be convenient to examine these two parts of the Treaty together.

The demilitarization of the left bank of the Rhine extends also to a zone fifty kilometres deep along the right bank. In this part of her territory Germany is forbidden to maintain or construct fortifications, to maintain or collect armed forces, to carry out military manœuvres, or to maintain any material means of mobilization. In other words, from a military point of view Germany only begins, whether for

purposes of attack or defence, at a line fifty kilometres east of the Rhine.

This demilitarization places Germany in a position of manifest inferiority in face of France, and consequently of France's Allies, in the event of hostilities against Germany. Is it compatible with the Pact of November 5, 1918, or does it violate the Pact? In the four series of Mr. Wilson's Points there is not a single one which could be quoted in justification of this provision. At first sight, but at first sight only, it does not directly and openly violate any of them. If, therefore, a clause of this nature were customary on the conclusion of peace between belligerent States, one might be tempted to argue that it was permissible to bring it into the Treaty of Versailles, and that to do so would not violate the Pact of November 5, 1918. But that is not the case. This demilitarization represented an entirely unprecedented innovation. It follows logically and morally that it could only be imposed on Germany if formally authorized by one or other of Mr. Wilson's Points.

It must also be noted that this demilitarization renders Germany almost powerless to maintain order in the demilitarized territory. A striking example proved this and showed what might result. Disturbances occurred in the Ruhr Basin, and Germany was obliged to send in troops. France took advantage of this "violation of the Treaty" to occupy Frankfurt. Germany is thus liable at any time to find herself faced with this dilemma—either she must allow internal disturbances to continue unchecked or she will run the risk of seeing some part of her territory invaded and occupied.

Is this what one might call a "practical detail of application"?

In regard to the temporary occupation of the left bank of the Rhine, it must be pointed out that the case is not comparable with that of the German occupation of French territory in 1871 under the Treaty of Frankfurt. There is

this essential difference between the two cases : Germany at no time claimed to separate from France the territory which she intended to occupy temporarily as a guarantee of the execution of the Treaty of Frankfurt ; France, however, wanted to separate the left bank of the Rhine from Germany, and only gave way before the formal opposition of her Allies ; moreover, the solution arrived at may enable her later to carry out her intention, possibly under a disguised form.

The chapter devoted to "Violations of the Versailles Treaty, committed or planned," will show in more detail the efforts that France made in the course of the peace negotiations to separate the Rhineland from Germany, although this meant a definite violation of the Pact of November 5, 1918, which proclaimed the right of peoples to dispose of themselves. It will also be shown how France's rulers manœuvred after the signature of the Peace Treaty to gain their ends by other means, in violation of the Articles of the Treaty dealing with Germany's frontiers. This will not, for that matter, surprise anyone. If France's rulers, in their desire to amputate Germany's Rhenish territory, had no scruple in violating the Pact of November 5, 1918, there was no clear reason why the Pact of Versailles should inspire them with more respect.

We arrive, therefore, at this conclusion—that the temporary occupation of the left bank of the Rhine is not in itself a violation of the Pact of November 5, 1918, but that it prepared the way, in regard to a very important point, for a violation of the Treaty of Versailles, and that France's rulers have already taken advantage of their opportunity.

vi

THE SAAR BASIN

In order to understand the question of the Saar Basin and to appreciate the full scope of the solution found for the question by the Treaty of Versailles, account must be taken, as in regard to the question of the left bank of the

Rhine, of the original intention of the French Government. In his letter of January 12, 1917, to the French Ambassador in London, M. Briand spoke of making the territory on the left bank of the Rhine an autonomous State, and then went on to write as follows in regard to Alsace-Lorraine :

It must be understood that Alsace and Lorraine must be returned to us not mutilated as they were under the Treaty of 1815, but delimited as they were before 1790. We shall thus have the geographical basin of the Saar with its mines, of which the possession is essential to our industries, and the memory of the successive mutilations of our ancient frontier must be effaced.

To annex the basin of the Saar to France as a part of Alsace-Lorraine—that was the original aim of the French Government. Before the Pact of November 5, 1918, this claim was no more illicit than that of separating the left bank of the Rhine from Germany in order to make it an autonomous State. But to hold to this claim after the Pact was to try to violate the Pact. Mr. Wilson's eighth Point stipulated that "the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine should be righted." It was thus a question of the Alsace-Lorraine taken from France in 1871, and not of Alsace and Lorraine as they may have existed ages ago. Moreover, to propose to take the Saar Basin without consulting the population was to propose violations of the second, third, and fourth Points in Appendix B, and, above all, the second Point in Appendix C—the most important one in the matter of the right of peoples to dispose of themselves. Yet it is declared that during the peace negotiations, although they should have been based on the Pact of November 5, 1918, the French delegation at the Conference made the greatest efforts to secure the adoption of its plan of the annexation pure and simple of the Saar Basin. It only gave way, as in the case of the transformation of the left bank of the Rhine into an autonomous State, before the resistance of France's Allies.

In chapter eight of M. Tardieu's book, *La Paix*, a detailed account will be found of the negotiations and controversies which took place on this subject between the French and Allied delegations. M. Tardieu begins by mentioning a fact which shows how excessive were the French demands. His delegation demanded not only the territory, but its minerals. It not only claimed the annexation pure and simple of that part of the Saar Basin which was French territory before 1815; it also claimed the whole of the mines. But the coal basin extended over 700 square kilometres to the north of the historic frontier claimed by France. A memorandum, drawn up by M. Tardieu and published in his book, was therefore sent to the heads of delegations proposing substantially the following solution—the restoration to France of the territories south of the 1814 frontier, a special political régime for the territory of the mining and industrial basin north of this frontier, and the transfer to France of full ownership of the mines in these zones.

Mr. Lloyd George supported the French contention in the matter of the mines, but not the 1814 frontier. He said :

Let us not renew the mistake committed by Germany in 1871 in the name of a fictitious historical right. Do not let us create a new Alsace-Lorraine.

As to Mr. Wilson's attitude, M. Tardieu writes :

Mr. Lloyd George had accepted part of our claims; the President, on the contrary, rejected them all. He agreed to our taking from the Saar Basin a quantity of coal equal to the deficit from our mines due to the war. But he refused us the ownership of the mines, the frontier of 1814, and the autonomous organization suggested by Mr. Lloyd George. His point of view, presented in the most friendly but most decided manner, was as follows :

“Never has France, in any public document, claimed the frontier of 1814. The bases of peace accepted by her speak of reparation for the wrong which she suffered in 1871—and not in 1815.

“Now, these bases bind the Allies. The historical argument used by Germany against France to justify

her theft of Alsace and Lorraine is a dangerous one. Let us avoid using it. . . .

“I am ready to recognize that France should have the use of the mines for a period that shall be determined; but as there can be no question of depriving the local industries of coal, the question of the ownership of the mines appears to me to be purely sentimental.

“I regret to make these objections and I apologize for it. It is painful to me to oppose France’s wishes. But I could not act otherwise without failing in my duty.”

Any impartial person will agree that Mr. Wilson’s attitude was irreproachable. He wished to remain faithful to his peace programme, which Allies and Central Powers alike had accepted. It will be noted that he says outright: “These bases bind the Allies.” This, however, did not prevent him from disengaging himself from these commitments and in the end abandoning his own peace programme in the question of the Saar as in the rest.

A hybrid solution, stated to be transitory, was conceived for the Saar Basin. But, as in the case of the left bank of the Rhine, it may well be asked whether the force of circumstances will not drive France to return to her original plan. And in this case again one is compelled to recognize that the solution arrived at will assist her to do so. The impression, indeed, forces itself on one that that was the intention underlying it.

Article 45 of the Treaty of Versailles provides that in compensation for the destruction of the coal mines in the north of France, Germany shall cede to France the entire ownership of the coal mines situated in the Saar Basin. A cession of this sort is an entirely unprecedented thing. The Memorandum to Germany recognized the fact in the following words :

It has been the desire of the Allied and Associated Powers in determining the form of reparation to be imposed to choose one which, by its exceptional

nature, will be for a limited period a definite and visible symbol.

This "exceptional" innovation should apparently have been provided for in the Pact of November 5, 1918; its imposition on Germany appears to constitute an indirect violation of the Pact, which contains nothing to justify it. Even with the provision included in the Treaty that Germany is to be at liberty to repurchase the mines at the end of fifteen years, the unusual character of the arrangement remains.

But it is something more than an indirect violation of the Pact of November 5, 1918. It is a direct violation of the Wilsonian principles, and therefore a direct violation of the Pact. The separation of this German territory from Germany for fifteen years, without consulting its population, violates the same Wilsonian Points which permanent separation would have violated. The original plan would have been brutal and cynical; the plan adopted had an element of the hypocritical and even the ridiculous. The moment it was found impossible to consider the Saar Basin as an integral part of Alsace-Lorraine, what reason was there for separating from Germany for fifteen years this admittedly German territory and consulting it at the end of fifteen years to ascertain whether it desired to remain as it is, to return to Germany, or to go to France? The plan is absurd on the face of it, but is very comprehensible if it is regarded as a roundabout way, chosen to save appearances, of realizing at the end of fifteen years a design, in flat contradiction of the Wilsonian principles, which no one dared to carry into effect in 1919.

An examination of the details of the arrangements made for the government and administration of the Saar Basin shows clearly that they had this triple purpose—to eliminate German influence, to substitute French, and finally to furnish France with the means of denationalizing—"de-Germanizing"—this German territory, so that the plebiscite to be held at the end of fifteen years should go against Germany.

The fact is piquant rather than surprising that, in this country placed for fifteen years under the government of a Commission representing the League of Nations, "the right of voting will not be exercised for other than local assemblies." The Entente, the champion of democracy, claiming to have fought the war for democracy, thus refused to the Saarlanders the privilege of national representation. They were to be governed like the negroes in some new colony. Why? Was it feared that any national representation, any real Saar Parliament, would show recalcitrance in face of manœuvres aiming at the denationalization of the country?

vii

ALSACE-LORRAINE

I said above that among the Articles of the Treaty there were some which were in agreement with certain points in Mr. Wilson's programme but not with others. The solution given to the Alsace-Lorraine question is a case in point. It is in agreement with the eighth Point in Appendix A, which provides for the unconditional return of Alsace-Lorraine to France; but it is not in agreement with Points 2 and 3 in Appendix B, and especially Point 2 in Appendix C (right of self-determination), since the population of Alsace and Lorraine were not consulted.

In his eighth Point Mr. Wilson said :

All French territory should be freed and the invaded portions restored, and the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine, which has unsettled the peace of the world for nearly fifty years, should be righted, in order that peace may once more be made in the interest of all.

It will be observed that there was no question here of the Alsatians and Lorrainers, their rights or their interests. Did Mr. Wilson, who was very little acquainted with European problems, assume as axiomatic that the Alsatians and Lorrainers wanted to become French again? Or did he, in the

belief that France would refuse to conclude peace unless she recovered Alsace-Lorraine, deliberately take no account of anything but her claim?

The text of this eighth Point should be compared with the following opening sentence in Section V. of Part III. of the Treaty of Versailles :

The High Contracting Parties, recognizing the moral obligation to redress the wrong done by Germany in 1871 both to the rights of France and to the wishes of the population of Alsace and Lorraine, which were separated from their country in spite of the solemn protest of their representatives at the Assembly of Bordeaux, agree upon the following Articles.

The question of the right of self-determination was thus not dealt with by Mr. Wilson. In the Treaty of Versailles, however, Germany was made to recognize that this right was against her. More was demanded than had originally been demanded of her or agreed to by her. So far as concerns the desire of the Alsatians and Lorrainers, it will be observed that the Treaty speaks only of their desire in 1871, as manifested by the Declaration of Bordeaux, and not their desire in 1919.

Does this mean that the Germans can claim, since no account was taken of the right of self-determination of the Alsatians and Lorrainers, that the Pact of November 5, 1918, was broken at their expense in the matter of Alsace-Lorraine? They can hardly do this. There could be no doubt for them that the recovery of Alsace-Lorraine was the essential condition which France attached to the conclusion of peace, and that in accepting Point 8 they were renouncing Alsace-Lorraine. If this eighth Point had been as indiscreetly drafted as the Treaty of Versailles, if, that is, the question of the desire of the Alsatians and Lorrainers had been touched on, it would have been possible for them to dispute it; as the question had not been touched on, there was no possibility of raising it.

If anyone had ground of complaint it was the Alsatians

and the Lorrainers, who had for the third time been dealt with without being consulted as to their fate. It would be puerile, or hypocritical, to affirm that they wanted the solution which was arrived at by the Peace Conference.

Before the war, in his book *Faites un Roi, sinon faites la Paix*, M. Marcel Sembat replied to those who declared that the Alsatians and Lorrainers wanted to return to France. "What evidence of it," he asked, "have you?" He recalled events which had happened in Alsace-Lorraine and, he claimed, justified his retort, since they went to show that the Alsatians and Lorrainers had abandoned their protest. He contended that their "will of to-day" could not be inferred from their will at a former period.

If consulted as to their fate, the Alsatians and Lorrainers would have had to choose between the following solutions—continued incorporation under the old conditions in the German Reich, which they would certainly have refused; incorporation on the same terms as the other Federal States; constitution as an independent State like Belgium or Switzerland; incorporation in France with the measure of autonomy called for by their ethnic and linguistic individuality; or incorporation in France as before 1870, with or without a transitory stage of adjustment. General Percin, who knows Alsace, expressed in the *Journal du Peuple* of July 29, 1922, the opinion that if consulted "the majority of the Alsatians would have pronounced for Germany, or at least for the autonomy of the two provinces." In my view, apart from the return to the pre-1914 status, it is impossible to say with certainty which of the remaining solutions they would have chosen.

There was the more reason for a plebiscite since the intermediate solution of the erection of Alsace-Lorraine into an independent neutral State had its advocates in the country; and, indeed, also in France. Immediately after the war of 1870, Count Agénor de Gasparin championed this solution in his book *La France, nos Fautes, nos Périls, notre*

Avenir. A little later he was followed by Elisée Reclus in his *Nouvelle Géographie Universelle*.

All that has happened in Alsace-Lorraine since November, 1918, goes to show that this country, even by the admission of authoritative Frenchmen, is something different from France and is finding difficulty in getting assimilated to France. Hence there is nothing chimerical about the conception of a completely independent Alsace-Lorraine, forming a buffer State between France and Germany.

There is very significant evidence that this conception is not repudiated in Alsace-Lorraine. M. Hauss, the leader of the most important group in the country—that of the Catholic Centre—was a partisan of independence, and everyone knew it in his party. He would certainly not have been chosen for its leader if the idea of independence had shocked Alsatian and Lorraine patriotism. M. Hauss was an Alsatian and the son of an Alsatian, and represented the *Kreis* of Wissembourg in the German Reichstag and that of Guebwiller in the Alsace-Lorraine Landtag.

Does this mean that I want to argue that the people of Alsace-Lorraine should have been consulted through a plebiscite? They could have been consulted—I do not say they should, for reasons which will appear in a moment—if the peace settlement had been made on the basis of the right of peoples to dispose of themselves; in conformity, that is, with Mr. Wilson's programme. But this right was ignored except in the case of Schleswig and a few other cases in which there was no other way out of an embarrassing situation. Why, then, should a special exception have been made in favour of the *Alsations and Lorrainers* when other peoples were being disposed of without consulting them? Why, moreover, should restrictions have been imposed on France which no one dreamed of imposing on the Czechs or the Roumanians or the Serbs, or other nations which had contributed less to the common victory than France had done?

Even if account had been taken of the right of self-

determination, France would have been entitled to claim that it should not be applied to Alsace-Lorraine. Mr. Wilson's eighth Point was sufficiently categorical to demand interpretation as calling for the unconditional return of Alsace-Lorraine to France, in spite of the contradiction between this Point and that relating to the right of self-determination.

This being so, all the attempts that have been made to show that the Alsace-Lorraine question was given a solution in conformity with the right of the Alsatians and Lorrainers to dispose of themselves can only be described as ill-advised. To argue this is only to throw into the limelight the truth that this right was ignored. A first and notable indiscretion was the modification in the Treaty of Versailles of the formula employed by Mr. Wilson in his Fourteen Points. Mr. Wilson had spoken simply of reparation of the wrong done to France in 1871. This was quite clear and left no room for discussion. The Treaty, however, speaks of "the moral obligation to redress the wrong done by Germany in 1871 both to the rights of France and to the wishes of the population of Alsace and Lorraine." It was thus recognized that the "wishes" of the Alsatians and Lorrainers were one of the elements of the question, and this was bound to draw attention to the point that no trouble was being taken to ascertain what were in 1919 their wishes, their "will of to-day," in M. Sembat's phrase.

It is a strange thing that in the polemics which have revolved around this question the most important fact which could have been interpreted as an indication of the desire of the Alsatians and Lorrainers to become French has been lost sight of. On December 5, 1918, the Second Chamber of the Alsace-Lorraine Landtag, which had been transformed after the German Revolution into a National Assembly, manifested its desire that Alsace-Lorraine should return to France. It was difficult, however, to regard this vote as equivalent to a regular plebiscite. A plebiscite, as the word indicates, is a consultation of the people themselves. If their representa-

tives are to act for them they must at least have been given a mandate at the time of election to pronounce on the question at issue. The members of this Second Chamber had, however, been elected before the war, in 1911, and had received no mandate to pronounce on the fate of Alsace-Lorraine. The resolution of December 5, 1918, furnished, therefore, a presumption rather than a proof of the desire of the Alsatians and the Lorrainers.

It is equally surprising that the Memorandum to Germany takes no account of this resolution in its enumeration of the arguments which it advances to justify the refusal of a plebiscite in Alsace-Lorraine.

It follows from the preceding that France's right to possess Alsace-Lorraine is incontestable, in so far as it derives from the victory and from the Wilsonian programme which Germany accepted as the basis of peace. The fact, however, that no effort was made to ascertain the "will to-day" of the Alsatians and Lorrainers should be regarded as a reason for granting a special régime to Alsace-Lorraine.

viii

AUSTRIA

In any clear and honest view the prohibition of Austro-German union is, beyond possibility of question, not only a great injustice, but one of the gravest violations of the engagements into which the Entente entered with the Central Empires, and on the faith of which the latter laid down their arms.

Well before the end of the war it was known that, if the war ended in the defeat of the Central Empires and the dismemberment of Austria-Hungary, German Austria would spontaneously unite with Germany; so clearly was this in the nature of things. German diplomatists had been quoted as pointing out that if Germany were beaten she would gain on one frontier what she lost on the other. Consequently, when

Germany signed the Armistice of November 11, 1918, on the basis of the Pact of November 5, it was reasonable for her to assume that in the spontaneous adhesion of German Austria to the Reich she would find compensation for the loss of Alsace-Lorraine and of the territories which she would have to cede to Poland. There could be no doubt of the desire of Austria for union, and the Entente had already undertaken to give Austria the benefit of Mr. Wilson's programme, which included the right of self-determination (Appendix C, Point 2). The subsequent prohibition of union left Germany with important territories lost, and without the compensation which she had a right to anticipate in ceding them. This was a breach of the engagements which the Entente had entered into with Germany.

In regard to Austria the breach of engagements was more direct and much graver. Under these engagements, which served as the basis of the armistice which she had signed, Austria was entitled to claim the benefit of Point 2 in Appendix C and the other Points dealing with the right of self-determination; she was thus entitled, without any possibility of lawful opposition on the part of the Entente, to join Germany in conformity with the clearly expressed desire of the Austrian people.

Despite this, even before the negotiation of the Treaty of Peace with Austria, it became evident that the Entente, or, more precisely, France, was preparing to oppose the honouring of the engagements entered into.¹ It was regarded as natural that the Poles of Cracow should join Poland, the Roumanians of Transylvania Roumania, the Jugoslavs Serbia, the Italians of Trento and Trieste Italy; but it was

¹ On January 14, 1921, at Philadelphia, in the sixth session of the Peace Conference Forum organized by the Philadelphia *Public Ledger*, Mr. Charles Seymour, who had led the Austro-Hungarian division of the American Commission at the Paris Conference, declared that the American delegates were in favour of the union of Austria with Germany—in other words, the execution of the Pact of November 5, 1918—but the French formally opposed it. (*Matin*, January 16, 1921.)

intolerable that the Germans of Austria should aspire to union with Germany, even though their desire for union was more undoubted than that of other nationalities of the Dual Monarchy to be incorporated with other neighbouring States.

The manifestations of Austria's desire, far from being checked by France's opposition, grew louder. On March 12, 1919, there was a particularly solemn demonstration of it. The National Constituent Assembly passed *unanimously* the Bill confirming the republican form of the State of Austria and its union with Germany. It was laid down in the Constitution that Austria was a member of the German Reich.

Shortly after this vote of the Austrian Assembly, on March 25, the *Journal de Genève* published, under the signature of M. René Payot, an interview with the Austrian Chancellor, Dr. Renner, from which a few passages may be quoted here. To the question why Austria demanded union with Germany, and whether she expected political and economic advantages from it, the Chancellor replied :

The demand is not based on a calculation of profits and losses ; it is part of the programme of the Entente—the idea of the right of peoples freely to dispose of themselves. We are Germans, and in consequence we should be reunited to Germany. Our whole population has drawn this conclusion from the propaganda of the Entente. From 1866 to 1918 the Germans were separated politically by the conflict between the Habsburgs and the Hohenzollerns. Now that that conflict has disappeared with the fall of both dynasties under Entente pressure, we are returning to our nation. Our efforts towards union are only the application of the principle of free self-determination which has most assuredly been proclaimed by the Entente.

What (asked M. Payot) would in your view be the best solution of the problem ?

As things are (said Dr. Renner), the best solution would be the reunion with Germany of all the territories which are entirely German. This solution would at the same time be the best guarantee of an enduring peace, since the Austrians, if united with the South Germans, would form a majority which would give

German policy an orientation quite different from that which it had under Prussia's domination.

Do you believe that German Austria would renounce reunion if she were given certain advantages, or do you think that it is now too late?

It is, of course, never too late to accept advantages. But the question is whether the population itself would desire to-day to make any other decision. The Government is no longer a free agent. We are an absolute democracy, and we have to act in accordance with the feeling of the people; if we failed to do so we should be driven out of office. It is no exaggeration to say that the whole of the population, or at least ninety-five per cent., desires union with Germany. Any foreigner who imagines the contrary is deceiving himself. The stranger coming to Vienna usually frequents the aristocratic circles and those of the industrialists belonging to the "upper ten thousand." This class is unable to look beyond the horizon of the old Austria. But all the peasants, all the workers, and the majority of the lower middle class are absolutely intent on union with Germany and nothing else. If it is feared that union will bring us economic loss, it must be remembered that the Czechs, the South Slavs, and the other nationalities have completely cut themselves off from our national economic life. The Czechs, in stamping the bank-notes, have even sought our economic ruin. You will see that we have nothing further to lose from separation (from the Secession States).

Yet, despite this clearly expressed Austrian desire, weeks and months passed without the realization of the union demanded by the Constitution. What had happened? Simply this—that the Austrian Government realized that it could not ignore the opposition of the Entente, or, in other words, of France.

The opposition of the Entente ultimately found expression in Article 88 of the Treaty of Saint-Germain, which runs as follows :

The independence of Austria is inalienable otherwise than with the consent of the Council of the League of Nations. Consequently Austria undertakes, in the absence of the consent of the said Council, to abstain from any act which might directly or indirectly or by

any means whatever compromise her independence, particularly, and until her admission to membership of the League of Nations, by participation in the affairs of another Power.

As the decisions of the Council of the League of Nations have to be made with unanimity by the members present, the opposition of one single Power—for example, France—will suffice to postpone Austria's union with Germany indefinitely.

In the Austrian National Constituent Assembly on June 9, 1919, Herr Otto Bauer, Secretary of State, showed the intolerable features of the draft Treaty. On the subject of union with Germany he said :

The draft Treaty tears from us on the north and the south the most precious of territories, and leaves us virtually nothing but the mountainous, rocky, infertile Alpine lands and the capital, Vienna. In this isolation it is impossible for us to exist. Only as part of a larger unit can we have any chance of working once more for our progressive development. That is why we aspire to reunion with our great German fatherland. The conviction among our people is stronger than ever to-day that we can find no tolerable future except within the framework of the great German Republic.

The Secretary of State thus showed the economic side of the question, claiming that Austria, reduced to a torso, was no longer a viable State or one that could provide for its own needs. The upshot of the debate was that the Assembly held to its resolution in favour of union with Germany. But in the course of the subsequent negotiations the representatives of Austria failed to move the Entente from its determination not to allow union.

So it was that September 6, 1919, a day of sorrow for Austria, arrived. On this day the National Constituent Assembly found itself with no choice but to authorize the Government to sign the Treaty of Saint-Germain. But the sitting assumed the character of a solemn protest against the violence which had been done to Austria. Chancellor

Renner, after showing the grave results of the Treaty for Austria, concluded his speech as follows .

It is now for the Assembly to decide whether I am to be authorized to sign the Treaty. The Government advises you to give your consent to it. This will give us the advantage of the immediate recognition of our State and the ending of our political and economic isolation. It is impossible for us either to recommence hostilities or to go on living as at present. We need to breathe and to live, and to have a free road ahead of us. When this war is over we shall have our right of free disposition, and we shall prepare our future. Make this sacrifice, pass the resolution to authorize us to sign, and open the road for us to a new future.

Herr Hauser, the president of the Commission charged with the examination of the Treaty, then moved that the Assembly should authorize the Chancellor to sign the Treaty. He said :

It is a very grave moment when a man is called upon to sign the death-warrant for another man. It is still graver when he has to sign his own death-warrant, and this is our position to-day. I will say frankly, and we must continue to declare it, that even if we sign we shall not be in a position to fulfil everything. In our distress we are robbed of our one refuge ; we are forbidden to take refuge in our own family, with our mother Germania. Germany would not have been Paradise for us, but a grief shared is a grief halved. Our people are convinced that we are unable to live alone, and that only union with our brethren in Germany can save us. Our situation is terrible. But have we any choice ? Is it possible for us to do to-day what we desire to do ? We need the Entente, and since we need the Entente we are obliged to sign. We shall sign, therefore, even though our hand finds it hard to take the pen. But we call the whole world to witness, we cry to all the world that we are being subjected to force, and that we had no choice but to act as we have done.

The Assembly then, before pronouncing as to the acceptance of the Treaty, passed a resolution of protest, of which the following is the part relating to the prohibition of Austro-German union :

The National Assembly has taken note of the statement of the Chancellor of Austria. It solemnly protests before the whole world against the Treaty of Saint-Germain, which, under the pretext of safeguarding Austria's independence, robs the Austrian people of the right of self-determination and refuses to allow it to realize its deepest desire, a vital necessity for it economically, culturally, and politically—the union of German Austria with the German mother-country.

The National Assembly expresses the hope that, as soon as the spirit of peace has overcome the national hatreds and animosities aroused by the war, the League of Nations will recognize that the German people also has the right to the national unity and freedom which it has agreed to for other peoples.

The Assembly authorized the signature of the Treaty by ninety-seven votes to twenty-three, and the Treaty was signed at Saint-Germain on September 10.

The Treaty of Saint-Germain was discussed in the French Chamber on May 26, 1920. In reply to criticisms, M. André Tardieu, who had taken part in the elaboration of the Treaty as the French negotiator, said :

The second reproach made is that we have ignored Austria's desire for union with Germany. Pardon me once more. The Treaty, including its eighty-eighth Article, which prohibits Austro-German union, was voted by a five-sixths majority of the Assembly.

This was adding effrontery to an injustice resulting from the breach of a pledged word, an injustice dishonouring to the Entente. It is quite true that the Austrian Assembly gave a five-sixths vote in favour of the Treaty, but we have just seen why and how it did so.

Austria's gradual recovery was marked by a series of demonstrations in Vienna or the Provinces, which gave evidence that the Austrian people was not ready to renounce its ideal. The most significant of these was the vote of the National Assembly on October 1, 1920. The Assembly *unanimously* invited the Government to submit the question of union with Germany to a national plebiscite within six months. The project was, naturally, defeated by Entente

opposition; it remains true that on October 1, 1920, a year after the vote on the Treaty of Saint-Germain, the Assembly pronounced *unanimously* in favour of Austro-German union.

Other demonstrations followed in the form of spontaneous plebiscites instituted in various provinces, unorganized and unauthorized by the Vienna Government, beginning with one in Tirol.

The *Temps* of April 16, 1921, announced that the French Minister at Vienna had declared to the Austrian Chancellor that "the three Allied Governments were in agreement that all assistance to Austria should come to an end and the powers of the Reparation Commission be restored if the agitations in favour of union with Germany were not at once stopped." Thus Austria was threatened with new miseries if, on the strength of the right of self-determination and of the Pact of November 5, 1918, she claimed to dispose freely of her fate. This did not prevent the Tirolese plebiscite from becoming an imposing demonstration in favour of union with Germany. Shortly afterwards a similar plebiscite was taken in the Province of Salzburg, in which ninety-three per cent. of the votes cast were for union.

On October 11, 1921, the Brussels *Soir* published a declaration made to its correspondent, M. Louis Piérard, by Dr. Hainisch, the President of the Austrian Republic.

There remains (said M. Piérard) a party of "Pan-Germans," a diminutive party, in Parliament. "This," I said to the President, "is, no doubt, the party of the advocates of reunion with Germany?" This was his reply:

"In every party eighty per cent. of the members want reunion."

And, showing me the map, the President told me the reasons they give.

"Look at this lizard! The people of Innsbruck or Salzburg can get more easily into touch with Munich than Vienna." And he reminded me of the Tirolese plebiscite and of subsequent incidents.

But the President of the Republic knows better than anyone else that reunion with Germany is impossible.

The Powers would never tolerate it. Men like Otto Bauer, the former (Socialist) Minister of Foreign Affairs, who were fervent partisans of it, seem definitely to have renounced it.

Thus it is clearly established that the Entente not only violated the Pact which bound it to permit Austro-German union, but in doing so did violence to the clearly expressed desire of the Austrian people.

Is this breach of a pledged word explicable, at all events, on the score of the true interest of France? It is no paradox to reply: "Just the contrary."

Replying in the Senate on October 11, 1919, to reproaches levelled against him for failure to destroy the unity of Germany, M. Clemenceau said:

But in 1870 you had the sort of non-unity which you want to-day! Saxony was free; Hesse, Württemberg, Baden were free!

I remember that at the time of the declaration of war there were people in Grub Street—journalists are always to be found who will back any view—who were saying: "Bavaria won't march." What arguments I heard! "The Bavarians are Celts; their skulls are not of the same shape as the others; they hate the Prussians." Two days later, you know what happened.

Don't you see, unity is not made in the diplomatists' protocols (I think I have said enough to show that); unity is in men's hearts. One loves the people one loves, one hates those one hates, and at the moment of danger one knows on which side to go, and one knows it at the moment of battle too.

That is what I had to say to you on this question of unity.

Would not this line of argument, which M. Clemenceau applied to the South Germany of 1870, apply also to Austria in the event of another war between Germany and France? The union of hearts between Austrians and Germans is much stronger to-day than was, in 1870, the union between South Germans and Prussians. From M. Clemenceau's argument

it thus follows that in the event of a new Franco-German war the Austrians would join Germany even more spontaneously than the South Germans joined Prussia in 1870.

Not only, then, does the violence done to Austria not dissipate the danger for France which it aimed at dissipating, but it may be claimed to increase it, and this for two reasons. If, when Germany has made good her economic recovery, it were to Austria's interest to join her, and if owing to French opposition this proved impossible except through another war, Austria's interests would lie in war rather than peace. Secondly, if the Entente had allowed the six or seven millions of Austrians to join Germany's sixty millions, this would have been no reason for increasing the army which Germany is allowed to keep. But from the moment when Austria was made an independent State it was necessary to allow her an army. Thus in the event of war Austria would bring Germany reinforcements as the South German States brought Prussia reinforcements in 1870.

ix

THE CZECHOSLOVAK STATE

There is a certain analogy between the solution of the Bohemian question arrived at in the Treaties of Versailles and Saint-Germain and the solution found for the Alsace-Lorraine question by the Treaty of Versailles. In each case the solution conflicts with the right of self-determination—one of Mr. Wilson's fundamental principles—but cannot be held to be contrary to the engagements entered into by the Entente with the Central Empires. On the other hand, while the decision of the Alsatians and Lorrainers, if offered the exercise of the right of self-determination, might be open to doubt, there could be no doubt whatever that the three and a half million Germans turned over to the Czechoslovak State had no desire to belong to it, and, if left to themselves, would have remained with Austria and would, like Austria, have desired union with Germany. In the case of Czechoslovakia,

however, it was less possible than in that of Alsace-Lorraine to avoid sacrificing the principle of self-determination to circumstances. France could exist without Alsace-Lorraine, but it would hardly be possible for the Czechoslovak State to exist without the territory inhabited by the Germans of the Sudetes.

The solution arrived at was none the less a painful one for the Germans of Austria and Bohemia. They were brethren from every point of view and had lived a life in common for centuries. In losing the German part of Bohemia, Austria lost her richest and most prosperous territory; she found herself reduced to the Alpine provinces and her great capital, Vienna. The Germans of Bohemia, for their part, not only found themselves cut off from their brethren of the Alpine provinces; they also found themselves placed under the domination of the Czech people, with which they were on no cordial terms. It is easy, therefore, to understand the moving scene in the National Assembly on September 24, 1919, when the representatives of German Bohemia took leave of their compatriots; a scene recalling that witnessed at Bordeaux on March 1, 1871, when the representatives of Alsace-Lorraine took leave of the French National Assembly. Herr Lodgmann, speaking in the name of the Germans of Bohemia, delivered an address reminiscent of the famous Declaration of Bordeaux. He not only protested against the violence done to the Germans of Bohemia; he promised in their name that they would remain faithful to German Austria. "We are parting in space," he said, "but we remain united in spirit. In the presence of the foremost representatives of the people of the German Austrian Republic, I salute them with the restrained grief of a son taking leave of his father's house."

The solution found for the Bohemian question was, after that of the Austrian question, much the gravest of all the violations of the second Wilsonian Point in Appendix C—the right of self-determination of peoples. Yet it should be

repeated that in this case there was no violation of engagements entered into with Austria. The moment Austria had accepted Mr. Wilson's modified programme, which included the complete independence of the States which made up the Austro-Hungarian Monarchy, she was bound to realize that her acceptance implied the sacrifice of German Bohemia, just as Germany was bound, when she agreed to the eighth of the Fourteen Points, to realize that she was renouncing Alsace-Lorraine. To constitute a Bohemian State without giving it its historical and geographical frontiers was out of the question. It would have been easier to exclude Slovakia and Moravia from this State, although they are nearer to it in race and language than the German part of Bohemia.

POLAND, EAST PRUSSIA, MEMEL, AND DANZIG

The solutions arrived at in these four cases (Articles 87 to 108 of the Treaty of Versailles) are best examined together.

The method of settlement of the Polish question produced almost as much emotion and provoked almost as much protest in Germany as the Bohemian settlement did in Austria. How far were the German agitation and protests justified?

Mr. Wilson's thirteenth Point required that the independent Polish State to be erected "should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea." When this Point came to be applied it was found to lack precision. Did "indisputably" Polish mean "entirely" or "mainly" Polish? Was a population "indisputably" or "mainly" Polish to be included in the new Poland even if it had not before been part of Poland? Did "free and secure access to the sea" imply the extension of Polish territory to the sea coast, or that arrangements should be made for the complete freedom of Polish trade in a Baltic port not belonging to Poland? The lack of definition of the thirteenth Point in these respects made it difficult to solve the Polish

question without provoking discontent through apparent or even real injustices.

Owing to the distribution of the population on the Polish-German border, it was impossible to trace an exact line of demarcation between German and Polish populations. As in Bohemia, and especially Moravia, there are territories in which the populations are so mixed that it is impossible to describe them as definitely German or Polish. The Peace Conference accordingly decided that "indisputably" Polish meant "mainly" Polish. This involved the sacrifice of German minorities in certain districts and Polish in others to the Polish or German majorities. It was a case calling for compromises on both sides. Were the compromises made equivalent? It has to be admitted that more Germans were Polonized than Poles Germanized. Was this inevitable? I cannot say. But as Germany had to agree to making greater sacrifices than Poland on this point she should have been given compensation. This was far from being done.

In the southern part of the Province of East Prussia, the region of Allenstein, the population is mixed, and it was decided to hold a plebiscite to determine whether it desired to remain German or to go to Poland. The Memorandum to Germany contained this message :

According to all information, there is in the Allenstein district a considerable Polish majority. The German Note states, on the other hand, that it is not inhabited by an incontestably Polish population and suggests that the Poles will not wish to be separated from Germany.

The plebiscite was held and gave a majority for Germany, though, according to the information which the Entente claimed to have, the territory was mainly Polish.

A plebiscite is, of course, the most rational method of giving effect to the right of self-determination of peoples. But it must be pointed out that in the peace settlement it was only resorted to in exceptional cases, and then only when there were chances that it might show a result adverse

to the conquered States. Why, for instance, should it have been applied in East Prussia and not in Memel, which Germany was made to abandon, and which was later awarded to Lithuania? The Memorandum to Germany stated that the majority in this region is Lithuanian in origin and language. It added that the fact that the town of Memel is mainly German would not justify the retention of the whole region under German sovereignty,

particularly in view of the fact that the port of Memel is the only sea outlet for Lithuania.

The latter words should be noted; they show that it was not a question of principle that was at issue, but of opportunism; a port was wanted for Lithuania. That is why it was desired to avoid the risks of a plebiscite.

The solution found for Memel thus violated, so far as the territory taken as a whole is concerned, the various Points which relate to the right of self-determination. And as regards the town of Memel, the solution was especially in conflict with the second Point in Appendix C, which requires that the settlement of territorial questions shall not be made "upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery." As the Memorandum to Germany admitted, Memel was taken from Germany because Lithuania needed a port.

In the case of Upper Silesia, which is peopled partly by Poles but had never belonged to Poland, the plebiscite to which the Entente ultimately agreed was the only means of getting over the difficulty arising from the lack of precision of Mr. Wilson's thirteenth Point.

As to the question of free and secure access to the sea, Poland was given double access, but in a way calculated to inflict a double and a very grave injustice on Germany. In virtue of the thirteenth Point, Poland now extends to the sea, across a territory inhabited by a population incontest-

ably Polish. But this extension of Poland to the sea completely cuts Germany off from East Prussia. To this grave injury another was added in the separation of Danzig from Germany and its constitution as a free city to provide the free and secure access to the sea required for Poland by Mr. Wilson. Could not Poland have found access to the sea on the coast allocated to her as Polish territory?

The reply to that question is this: A Polish law, enacted on October 23, 1922, declared that the public interest required the construction at Gdynia, in the Gulf of Danzig, on the coastline awarded to Poland, of three ports—a naval port, a commercial port, and a fishing port. The work has been entrusted to a Franco-Polish consortium, and is to be completed within eight years.

If a port can thus be constructed on the Polish coast, why was Danzig separated from Germany on the pretext of making it the free port which Poland needed? There was no apparent necessity for doing Germany the grave injury of taking from her a flourishing town, essentially German, and anxious to remain with Germany. To do so was to violate the right of self-determination without any plausible reason. Had there been any real necessity, Germany could have been left the coastline awarded to Poland, on which the latter has decided to construct a port. A certain number of Poles would thus have been left to Germany, but fewer than the Germans transferred to Poland in the regions “mainly” Polish.

As in the case of Memel, the solution arrived at for Danzig violated all the Points relating to the right of self-determination, and especially the second Point in Appendix C, since Danzig and its territory, with a population of 320,000, were taken from Germany “on the basis of the material interest and advantage of another people which desired a different settlement”—namely, the Polish people.

In vain were attempts made to show that the population of Danzig was not opposed to the solution arrived at, and

that it was willing to be separated from Germany. To establish this the *Temps* had recourse to an argument worthy of setting alongside M. Tardieu's claim that Austria had accepted separation from Germany because she had accepted the Treaty of Saint-Germain. The Treaty of Versailles followed the precedent set in the case of Alsace-Lorraine in 1871 by laying down, in Article 106, that within a period of two years from the coming into force of the Treaty the population of Danzig might opt for German nationality. Those who so opted must during the ensuing twelve months transfer their place of residence to Germany. Under the heading "The Territory of Danzig Opts Against Germany," the *Temps* announced on January 15, 1922, that only about 4,500 inhabitants had opted for Germany. It would follow logically from the argument of the *Temps* that Alsace-Lorraine opted against France after 1871, since only an infinitesimal minority of its population preferred expatriation to becoming German. Rather than emigrate, the Alsatians and Lorrainers preferred to do a thing of which there was no question in the case of the Danzigers—to serve in the army of the country which had taken them from their motherland, the German Army.

To appreciate the full gravity for Danzig and for Germany of the solution arrived at, it is necessary to have regard not only to the present but the future. A glance at the map of these regions will show that the free city of Danzig and the German territory of East Prussia form a sort of enclave in Polish territory, and that Poland will necessarily tend in time to seize them. This is so much in the nature of things that the eventuality may be contemplated without any imputation against Poland. As regards East Prussia, especially, its southern portion was considered by the Peace Conference to be predominantly Polish, and how can it be expected that Poland should not embark on a policy of penetration which will extend not only to that part but to the whole Province?

As to the free city of Danzig, it seems equally natural

that in the end it should be absorbed by Poland. It might almost be said to belong to her already in part, in view of two clauses in the Treaty of Versailles, paragraphs 1 and 6 of Article 104. Paragraph 1 provides that the Free City shall be included within the Polish Customs frontiers. Paragraph 6 provides that the Polish Government shall undertake the conduct of the foreign relations of the Free City, as well as the diplomatic protection of its citizens when abroad. This means Customs union and diplomatic union; in other words, the characteristic elements of the dependence of a territory on a State. The territory of Danzig is, in fact, virtually a part of Poland which has been allowed autonomy. The Free City of Danzig is on much the same footing with regard to Poland as the Free City of Hamburg with regard to Germany.

This solution is one of the numerous examples of the hypocrisy which ruled over the drawing up of the treaties which brought the world war to an end.

Had there been any possibility of a different settlement of the question of Danzig and of Poland's free access to the sea? In the French Chamber on September 4, 1919, in the course of a debate on the Treaty of Versailles, M. Marcel Sembat vigorously attacked the solution arrived at and pointed out that another could have been adopted. Admitting that Danzig was Poland's natural outlet to the sea, he considered that her needs could have been satisfied without robbing Germany of the city and also without cutting her off from East Prussia.

Is it (he said) impossible to find a solution?

The solution provided by the Treaty is detestable, since it ignores the right of self-determination. Do you reply that you are making Danzig a Free City? It would be a strange abuse of words. Danzig, a German city, is proclaimed a Free City in the same breath in which you refuse her freedom to remain German! The truth is that you are violating your principles. Could anything else have been done? Yes, and very easily. Poland was entitled to access to the sea. You

might have made Danzig a free port, and also have assured to Poland a railway line controlled and policed by her and under her suzerainty. . . . In this way you would have given Poland her access to the sea. Instead, you are cutting off Eastern Prussia from Western Prussia.

M. Marcel Sembat showed later that the solution found for the Polish question was likely to lead to the conclusion of a Russo-German alliance, which would be a danger alike for Poland and France.

xi

SCHLESWIG

In the case of Alsace-Lorraine, and especially in that of Bohemia, the right of self-determination of peoples was ignored; but, as we saw, there was no violation of engagements entered into with Germany or Austria. In the case of Schleswig—Articles 109 to 114 of the Treaty of Versailles—one might say that the position was reversed. In no other case were the second Point in Appendix C and the Points in Appendix B relating to the right of self-determination so fairly or reasonably applied. And yet Germany had good cause to complain on two counts: firstly, that in the peace settlement the right of self-determination was only recognized in favour of populations that might be expected to want to secede from the conquered States—was applied, that is, only against the vanquished; and secondly, a much more important point, that as Denmark had taken no part in the war, to admit her to concern in the peace settlement was an anomaly. Germany could claim that in accepting the Pact of November 5, 1918, it was impossible for her to foresee that non-belligerent States would be brought into the peace settlement, and that the Pact had thus been violated, though indirectly, at her expense. Germany had all the less reason to anticipate this since in the course of the agitation in the Entente Press to bring Denmark into the war the latter had constantly been given to understand

that participation in the war would be her only means of recovering the territories which she lost in 1864. Logically and morally there was nothing to prevent profiting by the peace settlement to redress all the injustices which had been committed through annexations in the past, no matter whether the States subjected to these injustices had taken part in the war or not. But notice should have been given of intention to do this, and it should have been done on a general plan and not only for the benefit of a single non-belligerent State and at the expense of a single vanquished belligerent.

Why, then, did the Entente make this innovation in favour of Denmark alone? Everyone knows the answer. It was not a question of liberating the Danes of Schleswig or of doing any service to Denmark. It was purely a question of taking away from Germany the Kiel Canal. The canal could not be awarded to any of the Great Powers, partly on account of their mutual jealousies, partly because it would have been too flagrant an exhibition of cynical egoism. Accordingly it was proposed to award it to Denmark. But that this might be done it was necessary that Denmark should receive all Schleswig-Holstein up to the canal. This was the Entente plan with which it was desired to induce Denmark to fall in. In this way a larger number of Germans would have passed under Danish rule than there had been Danes under German rule before the war.

But the Entente had counted without its host, without, that is, Denmark's sense of fairness, her respect for the right of self-determination, and her political wisdom. Denmark had no desire to regain more than the territories inhabited by Danes who manifested a desire for transfer to her rule. Hence the plebiscite clause. In this way Denmark not only showed her respect for the right of self-determination; she placed herself in a very strong position with regard to Germany, for no one can contend that the return of Danish Schleswig to Denmark was not desired by its population.

Theoretically, therefore, Germany could claim that she lost this territory through an indirect violation of the Pact of November 5, 1918. In practice she would have been mistaken had she made this complaint, since Denmark's just and wise attitude has prevented the replacement of the injustice of 1864 by another at least equally gross in 1919. Her reconciliation with the Danish people will fully compensate Germany for the loss of a very small and a non-German territory.

xii

HELIGOLAND

There is some analogy between the destruction of the fortifications, military establishments, and ports of the islands of Heligoland and Dune, required by Article 115 of the Treaty of Versailles, and the destruction of the fortresses on the left bank of the Rhine. No justification is to be found for this provision in any clause of the Pact of November 5, 1918. Its novel character calls for the same remarks as were made with regard to the demilitarization of the left bank of the Rhine. In any case, on this point, as on many others, the Entente obtained more than it was entitled to claim under the Pact of November 5, 1918.

xiii

THE GERMAN COLONIES

Part IV. of the Treaty of Versailles (Articles 118 to 158) is devoted to the German rights and interests outside Germany. It stipulates by way of preamble that in territory outside her European frontiers

Germany renounces all rights, titles, and privileges whatever in or over territory which belonged to her or to her Allies, and all rights, titles, and privileges, whatever their origin, which she held as against the Allied and Associated Powers.

This meant, in a word, excluding Germany from spheres in

which she had created for herself interests and rights. It is impossible to draw any authority, directly or indirectly, for this exclusion from Mr. Wilson's programme, or, therefore, from the Pact of November 5, 1918.

The renunciations imposed on Germany had reference especially to her colonies, to China, Siam, Liberia, Morocco (renunciation of the Act of Algeciras), Egypt, Turkey, Bulgaria, and Shantung. Under Article 119 "Germany renounces in favour of the principal Allied and Associated Powers all her rights and titles over her oversea possessions." In other words, this Article deprives Germany of her colonial empire.

Mr. Wilson's fifth Point, relating to colonial questions, had nothing to say about Germany losing her colonies. It called for an "absolutely impartial adjustment" on the basis of this principle—that "the interests of the populations concerned must have equal weight with the equitable claims of the Government whose title is to be determined." This meant the establishment of a régime providing for the protection of the natives, and that any Government's right of possession of its colonies could only be contested if its claims were not "equitable." Self-interest and nothing else drove the Entente Powers to take possession of the German colonies. It was, on the whole, not unnatural, and at other times there would have been less expenditure of hypocrisy on hiding it under a camouflage of altruism. In the 1919 peace settlement, however, hypocrisy played a considerable part, and so it was pretended that Germany's colonies were being taken from her in the interests of the unfortunate natives, whom she could neither govern efficiently nor treat with humanity. This argument is put forward in the Memorandum and covering letter to Germany. Even here, however, the truth finds a way in, and those who drafted these documents were not clever enough effectively to disguise the fact that the humanitarian argument was merely a pretext. The covering letter says:

The Allied and Associated Powers are satisfied that the native inhabitants of the German colonies are strongly opposed to being again brought under Germany's sway, and the record of German rule, the traditions of the German Government, and the use to which these colonies were put as bases from which to prey upon the commerce of the world, make it impossible for the Allied and Associated Powers to return them to Germany, or to entrust to her the responsibility for the training and education of their inhabitants.

The Memorandum repeats these arguments, presenting the final one as follows :

Moreover, the Allied and Associated Powers feel themselves compelled to safeguard their own security and the peace of the world against a military imperialism, which sought to establish bases whence it could pursue a policy of interference and intimidation against the other Powers.

It will be noted that the Allied and Associated Powers were "satisfied" that the natives in the German colonies no longer desired German rule. Yet they had no certain information as to this, for that would have required consulting the natives, which they did not do.

Hypocrisy did not stop there. It found its most artistic expression in the theory of mandates, those mandates which the League of Nations was to confer on the Powers which it judged the most capable of providing for the well-being of natives. This made it possible for the mandatory Powers to protest their disinterestedness, or even to pose as victims burdened with a *corvée*, declaring that they could not refuse the humanitarian and civilizing mission which the League of Nations was imposing on them.

In the Italian Senate on March 10, 1919, Signor Tittoni spoke as follows on the question of mandates (*Corriere della Sera*, March 11) :

I think it is well that it should be made plain to all that we are unable to see any difference between occupation under mandate and the actual seizure of territory. Occupation under a mandate is no new

thing. It is nothing but one of the old expedients exploited by diplomacy in the past. Everyone will recall examples, from early times up to the more recent ones of the Congress of Berlin. Writers on international law admit that occupation under a mandate and seizure of possession are, in fact, one and the same thing. I have here a French book which deals at length with occupation under mandates. Would you like to know its title? "Disguised Cessions of Territory in Public International Law." Masked cessions—that is the definition given by jurists.

For the rest, when Germany was deprived of her colonies, on the pretext that their native populations no longer desired to be ruled by her, was there any concern to show respect for the right of peoples to dispose of themselves by ascertaining what were the other Powers to whose tender mercies the natives preferred to be confided? Are we to believe, for example, that the natives of the islands in the Indian Ocean, north of the Equator, all with one accord called for the protection of Japan, while those of the islands south of the Equator cried with one accord for protection by Australia?

To conclude, Germany's deprivation of her colonies was a manifest violation of the Pact of November 5, 1918, since Mr. Wilson's fifth Point made no provision whatever for this amputation.

xiv

THE DISARMAMENT OF GERMANY AND HER ALLIES

In any clear and honest view it is incontestable that Mr. Wilson's fourth Point implied general disarmament and not the disarmament of a single country or group of countries. It demanded that "national armaments" should be reduced to the lowest point consistent with domestic safety. *La Paix des Peuples*, in its complete translation of the Fourteen and other Points, published February 25, 1919, rendered "national armaments" by "*les armaments de chaque pays*" ("the armaments of each country"). This

is the only intelligent and straightforward interpretation of Mr. Wilson's meaning. Is there anywhere a disciple of Escobar who will contend that "national armaments" meant only the armaments of the nations at war with the Entente?

Wherever disarmament was mentioned before the world war, it was regarded as a first condition that all countries must disarm, so absurd and even immoral did it seem to claim to disarm a single country or group of countries; obviously the disarmed countries would be at the mercy of those which were not disarmed. The principal difficulty in the way of disarmament was found in the fact that it could not take place unless it were general. When, then, Germany and her allies accepted the fourth Point as one of the terms of the peace to be concluded, they necessarily supposed that disarmament was to be general. The Treaties, however, of Versailles, Saint-Germain, Neuilly, Trianon, practically disarmed Germany and her Allies on land and sea, without imposing any restriction on the armaments of the Entente countries. This was not only a flagrant violation of engagements entered into, and notably of the Pact of November 5, 1918, but, one may fairly say, the worst one of all. Can anything graver be imagined than to leave a country disarmed in a world of armed enemies?

The Entente Powers were so conscious that they were breaking engagements entered into and acting iniquitously that they tried to save their faces by one of those hypocrisies with which the treaties which brought the war to an end swarm. The present instance, however, differs from the others in being at the same time an enormous political mistake and a gross blunder.

Part V. of the Treaty of Versailles, containing its military, naval, and air clauses (Articles 159 to 213), begins with this preamble:

In order to render possible the initiation of a general limitation of the armaments of all nations, Germany

undertakes strictly to observe the military, naval, and air clauses which follow.

The same idea is expressed as follows in the Memorandum to Germany :

The Allied and Associated Powers wish to make it clear that their requirements in regard to German armaments were not made solely with the object of rendering it impossible for Germany to resume her policy of military aggression. They are also the first steps towards that general reduction and limitation of armaments which they seek to bring about as one of the most fruitful preventives of war, and which it will be one of the first duties of the League of Nations to promote.

Hypocrisy ! In order to save themselves from the necessity of a cynical admission that they were violating the Pact of November 5, 1918, and the other pacts, in disarming only Germany and her Allies, the Entente Powers told them—gave them the promise—that their unilateral disarmament was only to be the prelude to general disarmament. This was hypocrisy. For the Entente Powers did not dream for a moment of general disarmament, as all that has happened since proved and continues to prove.

This hypocrisy was at the same time a blunder and a political error, for the following reasons : When Germany was disarmed as the prelude to general disarmament, she was by that action given the right to repudiate the engagements into which she had entered in signing the Treaty of Versailles the moment it appeared that the promise of disarmament made by the Entente was simply a lure. Let us suppose that at the end of ten or fifteen years no serious step towards disarmament has been taken by the Entente, and that it is observed that Germany is proceeding more or less clandestinely to re-arm. What argument other than force can be employed then to prevent her from doing so ? She has only to quote the fourth of the Fourteen Points, and the preamble and passage from the Memorandum just quoted, and to contend that she is no longer bound to fulfil

the engagements entered into since the other party is evading its own engagements. It would thus, in this case, have been more politic for the Entente to have played the cynic instead of the hypocrite.

On October 31, 1921, the *Temps* reported Count Westarp, the German Nationalist leader, as saying in a speech at Karlsruhe that there must be a return to compulsory military service, "as the Reich was entitled to do, since its neighbours were not disarming." On December 15 the *Temps* reported him as declaring at a Nationalist meeting that "if the other peoples did not disarm, Germany had a right to return to compulsory military service." It was inevitable that this argument should be advanced in Germany—and in due course adopted by her Government.

To realize the full significance of the disarmament imposed on Germany, attention must be paid to the second paragraph of clause 1 of Article 160, especially the words here put into italics :

The total number of effectives in the army of the States constituting Germany must not exceed one hundred thousand men, including officers and establishments of dépôts. *The army shall be devoted exclusively to the maintenance of order within the territory and to the control of the frontiers.*

In other words, Germany was to have no more than a reinforced police; she was to have no army in the proper sense of the word, either for attack or for defence from attack. The situation thus created for her was unjust, dangerous, and intolerable.

It will be seen shortly that I am not exaggerating when I say that Germany was no longer to have an army for defence in case of attack. Armies exist only for the eventuality of war, either aggressive or defensive. Every army, whatever its purpose, must prepare for war. Otherwise it is not an army but a simple police force. The army of

neutral Switzerland exists to prepare for war, and it can do nothing else but prepare for war. So with the army of neutral Belgium before the world war. So it should be with the military forces left to Germany, if these forces were to constitute an army, however reduced. Yet on March 10, 1922, the *Temps* devoted an article to "Germany's bad faith," in which Germany's armed forces were dealt with. It was recalled in this article that under the Treaty the whole of the German forces were to be "devoted exclusively to the maintenance of order within the territory and to the control of the frontiers." The article then proceeded to show, as "convincing proof of Germany's bad faith," that all the official regulations of the German Army spoke of war and envisaged it. The artillery regulations even said: "The sole purpose of the instruction of troops is combat." According to the *Temps*, this betrayed Germany's aggressive intentions. What is still more significant, almost at the same time it was announced that General Nollet had sent to the German Government a Note protesting against this passage in the artillery regulations as a violation of the Treaty. Could there be more convincing evidence that the Entente does not allow the effectives left to Germany to prepare for war; in other words, that it does not allow these effectives to be an army, even for defensive purposes, since defence, equally with offence, requires preparation for war?

In *La Paix* (pp. 145-146), M. Tardieu mentions a fact which, in the interest of his own argument, that the peace is a just and fair one, he would have done better to avoid mentioning. France had some difficulty in securing the acceptance of her plan by the Conference, so clearly was it extravagant. On March 3, 1919, it was proposed that Germany's disarmament should not last longer than a limited period. That is what Napoleon did with Prussia after Jena. There was all the more merit in his moderation since he was not bound to moderation by any engagement undertaken. Nor, indeed, had he entrapped Prussia by

making her lay down her arms on the strength of an insincere promise that he would disarm after her. A special sitting of the Conference, says M. Tardieu, had to be held to dispose of the suggestion of Germany's disarmament for a limited period only. Once more the American delegates put forward the idea of "guaranteeing the neutrality" of a disarmed Germany. The most elementary equity demanded this solution. Those who prevent anyone from defending himself must assume the liability for his defence against possible attack. "Once again," says M. Tardieu, "M. Clemenceau refused, declaring that he was not prepared to risk the life of a single French soldier in order to guarantee Germany." M. Tardieu adds :

The fear of the reappearance of this suggestion prevented M. Clemenceau from insisting on Germany's absolute disarmament, which had been proposed by certain members of the French Parliament, notably M. Maurice Raynaud, in a note of March 12, and M. André Lefèvre, in a note of January 21, 1919. M. Lefèvre's proposal was to forbid Germany to manufacture war material of any sort; but he added: "It would be entirely equitable to guarantee to Germany the integrity of her territory." That is what M. Clemenceau would not have at any price. The proposal was passed to Marshal Foch on February 15 for his opinion, and was rejected for this reason both by the Government and the Commander-in-Chief.

"It would be entirely equitable," said M. André Lefèvre. The disarming of Germany and the refusal to permit any guarantee of the integrity of her territory was, it may fairly be contended, inequitable.

If it were true that Germany is no longer in any danger of attack from any quarter, this would in some degree exonerate the authors of the Treaty. But it is not true. Apart from other possible dangers, it has already been shown that there exists for Germany a *direct* Polish danger, in that Poland will naturally be tempted to seize Danzig and East Prussia. This Polish danger was referred to in the course of the debate on the Treaty of Versailles in the French

Parliament. In his speech to the Senate, M. Clemenceau said :

M. Lefèvre went so far as to say that if Germany were attacked by Poland it would be for the League of Nations to restore order. I declared emphatically that I did not feel that I could send a single French soldier to defend Germany.

When (M. Clemenceau said later in his speech) people speak to us of Lithuania, the Baltic Provinces, Upper Silesia, it must not be forgotten that, thanks to the Treaty, there are now in Poland 550,000 men armed and equipped—soldiers such as there are not many of in the world—and that there is also a reserve of 400,000 men ready to join up at a moment's notice. After all, that has made many people reflect.

That may also suggest this reflection—that in face of this army of nearly a million men Germany, if threatened with the Polish peril, will have an army of only a hundred thousand men, which is forbidden to prepare itself for war.

Austria, Hungary, Bulgaria are also virtually disarmed, and they also are exposed to danger from appetites which may well, some day, make them regret their defencelessness.

For Germany, as for these other States, disarmament was aggravated by the fact that they were not members of the League of Nations. Had they been members, the League would have been bound, under Article 10, "to respect and preserve as against external aggression" their "territorial integrity and independence." But as they were not members they were reduced to their own forces for self-defence—and they were unarmed. This preposterous and iniquitous situation had been created—that the very States which were unable to defend themselves, and so were most in need of membership of the League, were excluded from it.

Moreover, Germany and her Allies were left with barely enough military force to maintain internal order. They might thus be exposed simultaneously to danger from internal disorder and from intervention by a neighbour State due to such disorder.

Thus it is incontestable that, in disarming Germany and her Allies without itself disarming, the Entente violated the engagements entered into at the moment of the Armistice, and notably in the Pact of November 5, 1918, and that in doing so it inflicted grave injury on its adversaries.

XV

REPARATIONS

The question of reparations—in other words, of the financial and economic burdens which the Entente imposed on the conquered States, especially Germany—was naturally among the most important, for vanquished and victors alike, with which the Peace Conference had to deal. I shall not devote as much space to it as its importance might seem to warrant. In conformity with the general plan of this book, I shall deal with it only from one special point of view—that of its relation to the engagements entered into by the Entente at the moment of the Armistice. In this case, as in so many others, one is forced to the conclusion that the Entente violated the Pact of November 5, 1918.

As we saw above, Mr. Wilson's seventh Point declared that "Belgium, the whole world will agree, must be evacuated and restored." The eighth Point said that "all French territory should be freed and the invaded portions restored." The eleventh Point said: "Roumania, Serbia, and Montenegro should be evacuated and the occupied territories restored." It is clear that reparations were demanded only for Belgium, France, Roumania, Serbia, and Montenegro, and these reparations were to consist of the restoration of the territories invaded and misused by the invader. It cannot possibly be claimed that Mr. Wilson took it for granted, as a thing unnecessary to mention, that apart from such reparation Germany and her Allies should agree to other reparation of a type often imposed on vanquished countries, such as the repayment of the cost of the war. The last great war before 1914 was the Russo-Japanese

War. This was ended by the Treaty of Portsmouth, drawn up in the United States under the auspices of the American Government, and this treaty imposed no war indemnity. Still more reason was there, in view of the enormous disproportion between the cost of the world war and the resources of the vanquished countries, why they should not be called on to pay it.

In his Note of November 5, 1918, the Note which constituted the Pact between the Allied Powers and Germany, Mr. Lansing, the American Secretary of State, returned to the question of reparations and defined Mr. Wilson's view in these terms :

Further, in the conditions of peace laid down in his address to Congress of January 8, 1918, the President declared that invaded territories must be restored as well as evacuated and freed.

The Allied Governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the civilian population of the Allies and their property by the aggression of Germany by land, by sea, and from the air.

It cannot possibly be claimed in good faith that Mr. Lansing's definition modified the condition which it defined, to the point of making it say something entirely different from what it originally said. That would have made the original condition a trap for Germany. Had the American Government intended to introduce a modification otherwise than by means of a trap, it would have had to introduce it as a new element and not as the definition of a condition already laid down. The idea of a trap laid by Mr. Wilson is inadmissible.

Did the European Allied Powers lay a trap, making use of Mr. Wilson and abusing his good faith? It has been declared that it was at the request of his Allies that Mr. Wilson defined his first condition in the manner indicated. M. Tardieu, moreover, has stated in *Illustration* of September 25, 1920, that on November 4, the day before the

Pact, the Supreme Council of the Allies decided, on the proposal of M. Klotz, the French Minister of Finance, to insert in the Armistice Agreement with Germany an Article (19) reading as follows :¹

With the reservation that any future claims and demands of the Allies and United States of America remain unaffected, the following financial conditions are required :

Reparation for damage done.

Considering the use made later of Article 19 to impose on Germany conditions quite other than those of the Pact of November 5, ignoring the actual terms of the Pact, one might well suppose that the wording of this Article concealed a trap.

In any clear and honest view there can be no doubt that in case of conflict between the Pact of November 5 and the Armistice Agreement, the Pact should carry it in any straight dealing. The Pact, as the work of the Governments, was a more binding thing than the Armistice Agreement. This conclusion is in itself only logical ; but it is strengthened by the revelations made by M. André Tardieu in his article in *Illustration* of November 6, 1920, on the Armistice of November 11, 1918. In this article he tells how the reparation clause of the Armistice Agreement was adopted. In view of the importance of the question, I will quote the passage dealing with this incident.

There remained a grave question raised by the French delegation—that of reparations. The discussion of this was opened by M. Clemenceau at the sitting of November 2.

“I want,” he said, “to come back now to the question of reparations and damages. It would not be understood among our people, in France, if we failed to include a clause dealing with this in the Armistice. I ask for the addition of three words, *reparation for damage*, without further commentary.”

The following dialogue followed.

¹ In chapters ix. and x. of *La Paix*, M. Tardieu reproduces the substance of his articles in *Illustration*.

M. Hymans: Would that be an Armistice condition?

Signor Sonnino: It is surely a peace condition.

Mr. Bonar Law: There is no point in inserting in the Armistice conditions a clause which could not be quickly put into execution.

M. Clemenceau: I only want to mention the principle. You must not forget that the French population is one of those which suffered most. It would not understand our omission of all reference to this clause.

Mr. Lloyd George: If you envisage the principle of reparations on land, mention should also be made of that of reparation for the ships which went down.

M. Clemenceau: I include all that in three words—"Reparation for damage." I beg the Council to place itself in the position of the French population——

M. Vesnitch: And the Serb——

M. Hymans: And the Belgian——

Signor Sonnino: And the Italian——

Colonel House: As the question is of general importance, I propose that M. Clemenceau's addition be accepted.

Mr. Bonar Law: It has been said already in our letter to President Wilson, who will communicate it to Germany. It is useless to say it twice over.

Signor Orlando: I agree in principle, though no mention of it was made in the Armistice conditions with Austria.

The addition of the words "reparation for damage done" was then adopted. M. Klotz proposed to insert before the addition the words "with the reservation of any future claims and demands of the Allies and United States of America." This was agreed to.

From this it is clear that the question of reparations should not, logically, have been dealt with in the Armistice Agreement; that it was only mentioned in it, at the request of M. Clemenceau, to establish the principle, and to show to public opinion in France that reparations were being dealt with; that, consequently, anything incidentally said about reparations in the Armistice Agreement cannot invalidate what is said about them in the Pact of November 5, 1918.

But the most significant thing in M. Tardieu's revelations is the fact that the addition proposed by M. Klotz, of which advantage was subsequently sought to be taken to modify completely the agreement arrived at in regard to reparations, was adopted without the slightest discussion. Can it be supposed that this would have been so if it had been possible to imagine that these few words had such great importance? Their acceptance without remark or discussion shows that they were regarded as simply a vague formula of no consequence.

Another inference must be drawn. Since Mr. Wilson was the author of the peace programme which Germany and her Allies accepted, and since it is he who secured their acceptance of this programme, not without first consulting and agreeing with the Entente Governments, it is quite obvious that he is the best interpreter of the meaning of his four series of Points and of the Pact of November 5, 1918. It is also quite obvious that in case of disagreement as to their meaning between Mr. Wilson, or the other American negotiators who carried on his policy, and the Entente negotiators, the view of the Americans should carry the day. Moreover, when the Allies suggested to Mr. Wilson that he should come to Europe, they gave as their reason that they would thus have his own interpretation of his peace programme. One further reason, and a still more important one, required absolutely that the American view should carry the day—the fact that in accepting Mr. Wilson's peace programme the German Government had taken note of his statement that his Allies were in agreement with him and shared his views.

When the Peace Conference opened in Paris it soon became clear that there were divergences of view on the reparation question and on many others between the Americans and the majority of the Entente Governments. It became evident, indeed, that the Entente was in revolt

against the American theory underlying the Pact of November 5, 1918.

That this was so was shown plainly by the revelations which M. André Tardieu, a member of the French delegation at the Peace Conference, made in *Illustration* of September 25, 1920. His account of the work of the Reparation Commission shows that two tendencies were very quickly manifested among its members—the majority view that Germany must pay the *whole* cost of the war, and the view of the American delegate, Mr. Dulles, who set forth the American Contention as follows :

The American delegation associates itself entirely and unreservedly with all that has been said as to the enormity of the crime committed by Germany. The United States, moreover, have their own war debt, which constitutes a terrible burden. . . . If, then, it is in accordance with our deepest feeling that the principles of reparation should be severe, and with our national interest that they should receive the widest possible extension, why are we proposing only limited reparation? The reason is that *we are not faced with a blank page, but with a page covered with a text at the foot of which are the signatures of Messrs. Wilson and Clemenceau, Orlando, and Lloyd George.*¹

The United States proposal is, consequently, that we should demand full reparation from Germany, *but only as stipulated in the contract with Germany concerning the conditions on which peace was to be made.* . . . In the first place, then, reparation for those acts which constitute a clear violation of international law, this implying complete compensation for Belgium. Further, restoration of the invaded territories and reparation for the injury done to the civil population and its property.

This declaration of Mr. Dulles's was of the utmost importance. It showed, in the first place, that there had indeed been a "contract"—namely, the Pact of November 5, 1918, concluded under the auspices of the American Government between the Entente and Germany; a contract which was

¹ The italics are mine.—A. E.

equivalent in some measure to preliminaries of peace. It showed also that under this contract the demands of the Entente must be confined to full compensation for Belgium and, as regards the other invaded territories, their restoration and reparation for the injury suffered by their civil population. This is what, in accepting the "contract" of November 5, 1918, Germany had undertaken to pay.

It is absolutely impossible to suppose that Mr. Dulles was expressing a personal opinion. He was clearly expressing the American view; in other words, that of Mr. Wilson himself.

According to M. Tardieu, Mr. Dulles was answered as follows by the French Minister of Finance :

You speak of a contract. For my part, the only one signed by the Allies and Germany that I know of is the Armistice. In that I read : "Reparation for damage done, with the reservation that any future claims and demands of the Allies and United States of America remain unaffected." That clause was inserted at my own request. All the delegates agreed to it. There can be no question as to its meaning. I infer in the first place that there is no contract under the terms of which the reimbursement of the cost of the war has been renounced, and further that in the Armistice there is a contract under the terms of which the right to such reimbursement has been expressly reserved.

Thus—a very grave fact—the French Minister of Finance repudiated the Pact of November 5, 1918, by declaring that he knew nothing of it; he substituted for the conditions laid down in that Pact quite other conditions of an infinitely harsher character, relying on a very vague and elastic phrase which he himself had had inserted in the Armistice Agreement. This is calculated to give the impression that the surreptitious insertion of this inoffensive-looking phrase in the Armistice Agreement constituted a trap.

M. Tardieu continues :

Mr. Dulles replied one by one to these different arguments. He dwelt especially on M. Klotz's argument,

contending that the diplomatic correspondence of October, 1918, was concerned not with the bases of the Armistice, but of the Peace; that consequently it bound the Conference, which was charged with the elaboration, not of the Armistice, but of the Peace; and that as a further consequence the Armistice, whatever might be its terms, could alter nothing in the accepted bases of the Peace.

Nothing could be juster or more clearly in accordance with the evidence.

The controversy over these two diametrically opposed points of view ended in what M. Tardieu calls a compromise. The idea of making Germany pay the cost of the war was abandoned, but she was made to pay war pensions. She was then given to understand that she was being granted a favour in not being asked for more. In reality, as will be seen later, what was demanded from her went beyond the compromise as defined by M. Tardieu.

Article 231 of the Treaty of Versailles reads as follows :

The Allied and Associated Governments affirm and Germany accepts the responsibility of Germany and her Allies for causing all the loss and damage to which the Allied and Associated Governments and their nationals have been subjected as a consequence of the war imposed upon them by the aggression of Germany and her Allies.

The purpose of this Article was to obtain from Germany an avowal, on her own behalf and on behalf of her Allies, of their unilateral responsibility and their sole guilt. This clause was contrary to the real facts. It was also without justification in any of the stipulations of the Pact of November 5, 1918. It thus inflicted on Germany a moral injury and an unauthorized one. It also inflicted on her an equally unauthorized material injury, since the Entente, armed with this extorted confession, was in a very comfortable position for imposing exorbitant conditions.

As we saw above, the Pact of November 5, 1918, spoke of "all damage done to the civilian population of the Allies and their property by the aggression of Germany by land,

by sea, and from the air." We saw also that this could only apply to the civil populations of the invaded and occupied territories. Article 231, however, which opens Part VIII. (Reparation) of the Treaty, speaks of "all the loss and damage to which the Allied and Associated Governments and their nationals have been subjected." It was a piece of hypocrisy to use the word "Governments" for "States." It is the State and not the Government which suffers loss and damage. It is the State and not the Government which has "nationals." But as to speak of "States" would have been to make it too clear that the programme of reparations was being extended, it was no doubt preferred to use the word "Governments" as a euphemism. A comparison of the text of the Treaty with that of the Pact of November 5, 1918, reveals that the Treaty enabled Germany to be called upon to make good the whole of the damage suffered, not in territories definitely specified and by limited categories of persons, but by the States themselves, camouflaged as "Governments," and by the whole of their nationals. The clauses which follow Article 231 are also very revealing in this respect.

Annex I. to this Part VIII. enumerates in detail Germany's obligations in the matter of reparation. The first four clauses, relating to damage to civilians, call for no special observation; but Clauses 5 and 7 deal with questions of great importance. Clause 5 says:

As damage caused to the peoples of the Allied and Associated Powers, all pensions and compensation in the nature of pensions to naval and military victims of war, whether mutilated, wounded, sick, or invalided, and to the dependents of such victims. . . .

It will be observed that the phrase is no longer "nationals of the Allied Governments," but—a broader conception—"the peoples of the Allied Powers." Clause 7 says:

Allowances by the Governments of the Allied and Associated Powers to the families and dependents

of mobilized persons or persons serving with the forces. . . .

Thus it was not a question only of pensions, as M. Tardieu said, but also of allowances. Yet neither pensions nor allowances were provided for in the Pact of November 5, 1918. What did these two items represent? The *Matin* of July 20, 1919, published the report which M. Dubois presented to the Peace Committee of the Chamber of Deputies on the clauses of the Treaty dealing with reparation. According to M. Dubois's evaluation, the two items in question made up a total of 71,765 million francs beyond Germany's liability for reparations under the Pact of November 5, 1918, which latter M. Dubois assessed at 119 milliards. He observed that this applied only to France, and that in the matter of pensions and allowances Germany could be called on to make corresponding reparation to the other Allied Powers.

In the controversies which arose later over the reparation question it has often been contended, even on the Allied side, that the obligation imposed on Germany to pay for post-war pensions and for war-time allowances was contrary to the Pact of November 5, 1918. The *Temps* of January 10, 1922, published a Memorandum addressed to Mr. Lloyd George by the Parliamentary Labour Party and the Executive Committee of the Trades Union Congress, which contained the following passage :¹

The reparations demanded from Germany by the Allies should be reduced by the amount of the sums claimed for war pensions and allowances paid to relatives of soldiers, these sums not having been provided for in the conditions imposed on Germany before the Armistice.

Similar representations were made in various other quarters.

In the Belgian Chamber on June 12, 1923, M. Vandervelde stated that it had been agreed only to demand from Germany reparation for the damage caused to civilians by the occu-

¹ Retranslated.

pation, but that "by a trick" pensions in respect of soldiers wounded and killed had been added. He added in the name of his party: "What we want is reparation, reparation in full, but nothing but reparation. What the Government wants is not only reparation, but the payment of military pensions."

Under Article 236,

Germany further agrees to the direct application of her economic resources to reparation as specified in Annexes III., IV., V., and VI., relating respectively to merchant shipping, to physical restoration, to coal and derivatives of coal, and to dyestuffs and other chemical products. . . .

The provisions of Annex III. are particularly grave, since it is these which deprived Germany of her merchant shipping in order to "replace, ton for ton (gross tonnage) and class for class, all merchant ships and fishing-boats lost or damaged owing to the war." Further, the German merchant shipping being considered less than that lost by the Allies, Germany was made to undertake, "as an additional part of reparation, to cause merchant ships to be built in German yards for the account of the Allied and Associated Governments." These provisions, in common with others referred to already, are doubly unjustifiable: they are not provided for by the Pact of November 5, 1918, and they represent an entire innovation in international law. It had always been the practice of victors to respect in a peace settlement the private property of the vanquished. To compel the cession of the German merchant fleet, which was private property, amounted to a violation of this generally recognized principle. Had the Allied Powers desired to avoid infringing a generally admitted principle, they could have called upon the enemy Powers to pay indemnities corresponding to the value of the shipping destroyed; but they could not legitimately demand the cession of vessels which were the private property of their nationals. For the rest, even apart from recognized principles and engagements entered into, had the

Entente any moral authority for demanding reparation for the destruction of its merchant vessels? This destruction had been the result of the submarine warfare, and the submarine warfare had been undertaken as a measure of defence against the hunger blockade, which was a still more flagrant violation of international law.

These few observations on the question of reparations—I repeat that I have only drawn attention to certain particularly salient points—are sufficient to show that there was a shocking disproportion between the burdens which the Treaty imposed on Germany and those which it could legitimately impose under the Pact of November 5, 1918. Germany, moreover, found herself placed in a situation which was all the more critical in that her burdens were not even reduced to any precise figure. The Reparation Commission was to fix the exact amount at a later date, and Germany undertook in advance to accept its decision.

A detailed examination of the financial and economic clauses of the Peace Treaty, clauses which followed in part from those dealing with reparations, would reveal provisions as indefensible as the foregoing. It would be found that in various respects Germany and her nationals had been placed in a position of trade inferiority, an infraction of Mr. Wilson's third Point, relating to equality of trade conditions. But this examination would lead us into technical considerations which are beyond the scope of a summary study, devoted simply to showing that in the matter of reparations, as of almost every other point, the Pact of November 5, 1918, was violated by the Treaty of Versailles.

The foregoing deals with the work of the Peace Conference as embodied in the Treaty of Versailles. Will it be suggested that Germany's creditors repaired the injustice done by the Conference when they drew up their Schedule of Payments of May 5, 1921, which fixed the German debt at the exorbitant figure of 132 milliards of gold marks?

There was no sign of moderation here. Moreover, this assessment failed to dispose of two objections put forward. In fixing the sum of 132 milliards the Entente made no claim to have omitted from the total arrived at the sum represented by pensions and allowances. And in the second place the Entente itself determined the amount of its damages, unchecked either by the other party or by neutral arbiters. There was thus no guarantee that it had not determined this sum arbitrarily.

As to the situation created in Germany by the Schedule of Payments of May 5, 1921, its full gravity was indicated by the decisions of the International Committee of Bankers which met in Paris in June, 1922. These decisions were published by the *Temps* of June 12, and amounted to this—that nothing could be done to restore Germany's credit so long as she was bent down under the weight of the debt which had been placed on her shoulders by the Schedule of Payments of May 5, 1921.

The Dawes Plan, drawn up in 1924, after the fall of M. Poincaré, will be dealt with in a subsequent chapter of this book.

CHAPTER IV

THE PEACE TERMS AND THE RIGHT OF SELF-DETERMINATION

i

A "FACADE"

MR. WILSON'S programme was almost completely set aside in the elaboration of the treaties concluded by the Entente with their enemies. But one point in it was treated with particularly scant respect—the right of peoples to dispose of themselves. This has already been shown above in regard to several special cases (the Saar, Austria, Danzig, Memel). In face, however, of the importance which was attached to this Wilsonian principle it will be well now to take a general view of the way the Peace Conference applied it.

In his report to the French Chamber M. Barthou said :

If we try to separate out the general and essential principles of which the Treaty of June 28 is the expression, we may say that it has aimed above all at *giving to nationalities the right to dispose of themselves*, destroying Prussian militarism, creating in a solidarized world, through the League of Nations, a new international order of things, and obtaining for labour, in the interest of social justice and peace, a really humane régime.

Thus M. Barthou placed the safeguarding of the right of self-determination at the head of the four principles which he considered to be the Entente war aims. Yet this "general principle" is precisely the one to which the least justice was done, and the Wilsonian "Points" which formulated it are the ones which were the most flouted.

Well before the victory of the Allies it was known what a tragi-comedy was being staged around the right of self-determination. In the French Chamber on December 27, 1917, in the course of a debate on the Government policy to-

wards Russia, M. Marius Moutet referred to the treaties published by the revolutionary Russian Government and showed all the breaches of this right which the Entente was already preparing to commit. It was in this speech that M. Moutet spoke of the pretended defence of the right of self-determination as a "façade."

M. Moutet was entirely right. The right of self-determination was to be nothing but a "façade" for the Allies, a pretext to serve them in the dismemberment of Germany, Austria-Hungary, and the Ottoman Empire. When it could be brought into play against their own ambitions it was to be repudiated.

The apprehensions aroused by the attitude of the Governments during the war were realized, and more than realized, by the peace terms. Certain peoples were withdrawn from a domination hateful to them, but as a rule only to subject to their domination other peoples who had no desire for it. There was a regrouping rather than any suppression of oppressions, and this for the simple reason that there was less concern for securing the triumph of the right of self-determination than for re-drawing the map of the world to correspond with certain political aspirations, or even certain imperialist designs. Under the latter influence African or Asiatic peoples who could and should have become independent or have belonged to other Powers, were subjected to the domination of one or another of the Great Powers.

It was, as is well known, especially the Austro-Hungarian Monarchy to which the Entente claimed to be bringing the benefit of the right of self-determination. Yet it is especially to Austria-Hungary that this right has been denied. Despite the measures adopted with a view to what has been called "the protection of minorities," there is little to show that these minorities will be better treated by the new States than they were by Austria and Hungary.¹

¹ Before passing in review certain special cases in which the right of peoples has been denied, I repeat what I have said earlier: it is the

ii

VORARLBERG

As we saw above, the gravest injury done to the right of peoples to dispose of themselves lay in the prohibition of union between Austria and Germany. In regard to Austria further violence was done to this right, and for a peculiar reason. Vorarlberg, the western extremity of Austria, is virtually a separate and distinct country; and it wanted to unite with Switzerland. Its population declared in favour of this through a plebiscite. The delegates of Vorarlberg, Herren Pirker and Neubner, sent to Clemenceau from Berne on August 17, 1919, a telegram requesting permission to present the case for their country to the Conference. But the Entente had no intention of allowing the union of Vorarlberg and Switzerland. Why? To displease one or other of the two countries, or both of them? The Entente had no reason for desiring this. To please Austria, who objected to the secession of Vorarlberg? There was equally little reason for desiring this. But the Entente realized that the more Austria was diminished territorially the more difficult it would be to maintain her independence as a State, and consequently to prevent her union with Germany. In other words, Vorarlberg was denied the right freely to dispose of herself in order the more easily to deny the same right to Austria.

It would be a mistake to regard the case of Vorarlberg as completely parallel with that of Austria. The wrong done to Austria was much greater. The pact under which the Entente had secured Austria's capitulation included a formal permission of her union with Germany, and the Pact of November 5, 1918, concluded between the Entente and Germany, included the same provision. No such agreement had

work of the authors of the Peace that I am criticizing, without consideration of the modifications which it has been possible subsequently to effect, independently of their will.

been made with Vorarlberg, any more than with Alsace-Lorraine. In the case of Vorarlberg, as in that of Alsace-Lorraine, there had thus been a violation of one of the Points in Mr. Wilson's general programme, though not of any pact based on it.

iii

CZECHOSLOVAKIA

Czechoslovakia provided this curious spectacle: the Czechs, on geographical and historical grounds, claimed the German districts of Bohemia, the three and a half million inhabitants of which desired to belong to Germany; at the same time, on ethnographical grounds, they claimed Slovakia, which is less Czech than the German districts of Bohemia are German, and which, on geographical and historical grounds, belongs to Hungary at least as much as the German districts of Bohemia belong to the Czech State.

The *Journal de Genève* wrote on September 13, 1919: "Czecho-Slovakia will have seven and a half million non-Czechs—counting the Slovaks—and five millions without the Slovaks, out of thirteen and a half million inhabitants." It thus admitted that the Slovaks might be considered as non-Czech.

In this case it is obvious that nothing but a plebiscite could have made known the will of the populations. But a plebiscite would have been liable to upset the plans of the Entente Powers, who had decided in advance how they intended to redraw the map of Central Europe.

iv

EASTERN GALICIA

The western part of Galicia, of which Cracow is the centre, is peopled by Poles, and was thus logically bound to return to Poland. The eastern part, of which Lvov (Lemberg) is the centre, is peopled by Ruthenians, who are Little Russians or Ukrainians. It desired to return to the Ukraine,

and in accordance with the right of self-determination it should have been allowed to do so, or to return to Russia if the Ukraine remained part of Russia. The Peace Conference, however, on the insistence of M. Clemenceau, decided to turn it over to Poland, under, it is true, a hypocritical formula, so as not to do too manifest violence to the right of self-determination. Injury was thus done in the first place to the Ruthenes of Galicia, then to the Ukraine, and finally to Russia.

The "Russian National Democratic Coalition of Political Organizations Abroad," in the hope of parrying the impending blow, sent to the Peace Conference the following Note, which was published in the *Temps* of May 30, 1919 :

The new Russia certainly has no desire to extend her frontiers. But Russian public opinion cannot remain indifferent to the destinies of populations belonging to the Russian family which inhabit Eastern Galicia, the country of the Lemkis, Bukovina, and Hungary. All Russians would be bound to feel lively regret if violence were done to the right of these populations to dispose freely of themselves at a time when this right is triumphing everywhere else. These countries should be assured the opportunity of a spontaneous manifestation of their will. The absolute right of either constituting themselves an independent unit or pronouncing in favour of their attachment to one or another of the neighbouring States should be reserved to them. And if the populations should so desire, they should not be prevented from union with their brethren in Russia, with, of course, full guarantee of the right of minorities.

But this memorial and appeal were without effect. The Supreme Council of the Conference sent to the delegation of the Ukrainian Republic a Note informing them that a civilian Polish Government would be installed in Eastern Galicia. With regard to this M. Sydorenko, the president of the delegation, made the following statements to the *Temps* on July 20, 1919 :

We protest strongly against the decision of the Supreme Council. Eastern Galicia is Ukrainian soil ;

it is inhabited by an immense majority of Ukrainians. We are unable to see in this measure the application of that right of peoples to self-determination which we claim for ourselves from the Entente nations.

Nevertheless, this mistake will in no way modify our foreign policy, which is to rely steadily on the Entente in the conviction that this attitude will earn us the full and entire independence of the Ukrainian Republic, embracing all the territories peopled by Ukrainians. Our country will join the Allies in combating the enemies of order and those who yesterday were our oppressors.

We firmly hope that the day will soon come when the justice which we merit will be done to us in regard to all our claims, and in particular those which relate to the possession of the entire soil of our country.

The solution arrived at not only violated the right of self-determination; it was a political mistake, since it created a future cause of conflict between Poland and Russia.

When the first general assembly of the League of Nations met at Geneva, the delegation of the National Ukrainian Council of Eastern Galicia, elected under universal suffrage by a considerable majority of the population of the country, but then in exile in Vienna, sent to the Assembly a memorial formulating the demands of this population. The document was published by the *Journal de Genève* on December 4, 1920, and I take from it the two following paragraphs:

It is hoped—

1. That the League of Nations will recognize the right of Eastern Galicia freely to dispose of herself in conformity with the desire of the Ukrainian people, which forms the great majority of the population, to live as an independent State.

3. That the League of Nations, until the moment when the political status of Eastern Galicia is definitely settled, will be good enough to undertake a work of humanity in protecting the Ukrainian population from the systematic extermination at the hands of Poland of which it is the victim.

All these protests and memorials were, however, of no avail; in 1923 the Conference of Ambassadors adjudged

Eastern Galicia definitively to Poland in its decision concerning the frontiers of that State.

V

ROUMANIA

The settlement arrived at in regard to Roumania calls for no special remark except in the matter of Bessarabia. Large Hungarian and German minorities are comprised in Transylvania, which was annexed to Roumania. But it was impossible to annex it without taking in the minorities, and as Roumania was at war with Hungary there was nothing outrageous in the renunciation of Transylvania by Hungary in Roumania's favour. The case of Bessarabia was very different. This country is mainly Roumanian, but it is less Roumanian than Eastern Galicia is Ukrainian. If, then, it was desired to turn Bessarabia over to Roumania in virtue of the right of self-determination, there was the more reason for turning Eastern Galicia over to the Ukraine. Moreover, Bessarabia belonged to Russia, who had been Roumania's Ally during the war. Nevertheless, the Entente, which did not recognize the Russian Soviet Government, profited by the fact of that country being without any Government which it recognized to wrest Bessarabia from it, reserving to itself the task of securing later Russia's approval of her own amputation so soon as she had a Government which it pleased the Entente to recognize.

This solution was obviously of great advantage to Roumania, who at an earlier date had asked herself whether, if necessary, she should march with the Central Empires to take Bessarabia from Russia or with Russia to take Transylvania from Austria-Hungary. She now had it both ways. But this solution, apart from its injustice to Russia, Roumania's Ally, created a future cause of conflict between Roumania and Russia.

Perhaps, after all, the Entente wanted to create causes of conflict between Roumania and Russia, as between Poland

and Russia, in order to assure themselves the alliance of Poland and Roumania against Russia.

vi

JUGOSLAVIA

It is by no means certain that the grouping of the Jugoslavs in a single State was effected with the consent of all the populations concerned. There is unity of race between them. There is a tolerable unity of language, though the language of the Jugoslavs comprises three fairly distinct dialects, Serb, Croat and Slovene. But the fact that some of them belonged to Austria-Hungary while others, the Serbs and Montenegrins for instance, were independent, had created between them differences of religion, culture, and aspirations. It was possible, therefore, to conceive of three solutions—the union of all the Jugoslavs in a unitary State; a confederation of Yugoslav States; or the formation of completely independent States, Serbia, Croatia, Slovenia, Dalmatia, and so on. Only a plebiscite could have made known the will of the populations. None was held, and many incidents that have occurred raise the question whether, for example, the Croats and the Montenegrins are really satisfied to be parts of the unitary Yugoslav State.

The case of Montenegro is particularly strange. This State, like Serbia, was independent before the war, and had its own dynasty. It made common cause with the Entente in fighting against the Central Empires. Yet, without the population being consulted by means of a plebiscite, it was annexed to Serbia, its Ally during the war, and its dynasty was deprived of its throne.

vii

FIUME

If Montenegro, despite its community of race, language, and religion with Serbia, had a right to remain independent of her, all the more should Fiume have had that right. It

was predominantly Italian, and manifestly had no desire to belong to Jugoslavia. There was all the more reason for surprise at the fuss made about this city and at the strange obstinacy with which Mr. Wilson refused to let it determine its fate in accordance with its natural desire.

The solution which transformed Fiume into an independent State, not making an integral part either of Jugoslavia or Italy, thus represented a compromise at the expense of the right of peoples to dispose of themselves.¹

viii

THE PEOPLES OF THE OTTOMAN EMPIRE

The Eastern Question was settled in defiance of the right of self-determination, and notably in violation of the following Points of Mr. Wilson's programme: the twelfth Point in Appendix A; the second, third and fourth in Appendix B; the second in Appendix C.

The twelfth Point in Appendix A read as follows:

The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but other nationalities which are now under Turkish rule should be assured an undoubted security of life and absolutely unmolested opportunity of autonomous development.

The other points mentioned established the right of peoples to dispose of themselves.

The non-Turkish nationalities of the Ottoman Empire were the Greeks of Europe and Asia Minor, the Armenians, the Syrians, and the populations of Palestine, Mesopotamia and Turkish Arabia. Of these nationalities the first two are Christian; the others are mainly Arab and Mussulman. As regards Syria and Palestine it may be mentioned that they form a geographical and ethnical whole, and that only considerations of policy could separate them by making two distinct countries of them.

¹ This right was only acknowledged later, independently of the Peace Conference, when Fiume was re-united with Italy.

The Greek and Armenian populations were emancipated from Turkish domination, but large Turkish minorities—the Turks claim them to be majorities—were made subject to them. In certain districts of Thrace there is actually a Turkish majority. The same may be said of certain districts of Armenia, and especially of the area which was added to the city of Smyrna in turning it over to Greece.¹ In these cases it was possible to claim justification for the solutions arrived at by arguing that it was difficult to make any precise delimitation between the various ethnic elements.

But no such case could be made out for the solutions arrived at in regard to Syria, Palestine, and Mesopotamia. Under Mr. Wilson's programme and on the principle of the right of peoples to dispose of themselves, these countries should either have been declared entirely independent, or have remained integral parts of the Ottoman Empire with autonomy guaranteed to them. There was nothing to prevent either of these solutions. Yet France and Great Britain decided to share these countries between themselves and appropriate them, resorting, it is true, to the hypocritical expedient of the mandate. Moreover, the appropriation of Palestine by the British and of Syria by the French destroyed the natural unity of the two countries.

Nothing, it must be insisted, had indicated that the populations of these two countries desired the lot which was imposed on them. Rather, indeed, the contrary. Thus the *Temps* published, on March 28, 1920, resolutions in favour of the complete independence and unity of Syria, voted by the Syrian General Congress sitting at Damascus. The Beyrout correspondent of the *Temps* claimed that the Syrian Congress did not represent the majority of the population. On the other hand, no comparable demonstration in favour of the disguised annexation of Syria, Palestine, and Mesopotamia to France and Great Britain was reported.

¹ The city and the whole area were, of course, subsequently reconquered by Turkey.

The Entente had promised independence to the Arabs of the Ottoman Empire in order to obtain their support against the Turks. Then, when the Turks had been beaten with their aid, the Entente forgot their promise, and the Arabs merely changed yokes.

Not only did the solution arrived at conflict with Mr. Wilson's programme and with the promises made to the Arabs during the war; it may even be maintained that it was contrary to the Covenant of the League of Nations, of which Article 22 says :

. . . Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative *advice and assistance* by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.

An American Commission went to Syria in 1919 to ascertain the desires of the populations. It found that the coastal regions, and especially Lebanon, wanted independence under the aegis of France, but that the great majority was, in the first place, against the division of Syria into Syria proper and Palestine, then against the creation of a Jewish National Home in Palestine, and finally in favour of the creation of a federative Syrian State, placed if necessary under the mandate of the United States. Thus, on this point Article 22 of the Covenant has not been observed. Nor has it been in regard to the régime instituted in the country. In Syria, especially, the mandate exercised by France hardly differs from the protectorate which she exercises in Tunisia and Morocco, while the Covenant speaks only of "advice" and "assistance" to be given by the Mandatory. The presence in Syria of an army of 50,000 men, subsequently reduced to 35,000, the functioning of courts-martial distributing penalties up to twenty years' imprisonment, the continually tightening grip of the Mandatory over the ad-

ministration of the country, all show where a mandate has led which should under the Covenant be confined to giving "advice and assistance."

For the rest, since the establishment of this new order of things in the East, unequivocal demonstrations, going as far as attempted insurrection, have shown that the populations subjected to the mandatory régime are discontented with their lot, and protest against their disguised enslavement. As regards Syria in particular, matters have gone so far as to raise the question whether France has not damaged her influence there by establishing her mandate. Before the war this country was the most Francophil of all the Eastern countries; it was like a piece of France in the Ottoman Empire. To-day it is recognized that that belongs to the past, that there are murmurs everywhere of discontent, and that a spirit of opposition has taken the place of the former sympathy.

In justice to the Western Powers it must be added that voices are raised at times in their countries to denounce the injustice done. Thus the British and French Parliaments had to occupy themselves with the question within two days of one another, on June 21 and 23, 1922, and hard truths were spoken to the Governments.

The House of Lords adopted by 60 votes to 29 a motion of Lord Islington that

the mandate for Palestine in its present form is unacceptable to this House, because it directly violates the pledges made by His Majesty's Government to the people of Palestine in the Declaration of October, 1915, and again in the Declaration of November, 1918, and is, as at present framed, opposed to the sentiments and wishes of the great majority of the people of Palestine.

Lord Sydenham said:

We have . . . distinctly violated two formal undertakings . . . [and also the Balfour] Declaration itself,¹ and violated it in the most cynical fashion

¹ Of November 19, 1917.

possible. The Declaration promised that nothing should be done which would prejudice the "civil rights" of the Palestinians. . . . These rights have been trampled upon.

In the French Chamber criticism was not confined to denunciations of the failure to observe pledges given; attention was also drawn to administrative abuses introduced in Syria by France, and to the squandering of public money.

It is, unfortunately, to be feared that these appeals to reason and to respect for the pledged word will remain without effect. For the "mandate," like the "protectorate," is for Imperialists nothing but a hypocritical form of colonization pure and simple. It is also to be feared that the League of Nations will be powerless to supervise the execution of the mandates. It will be politely conducted to the door when it makes any show of taking its task seriously.

There is, unfortunately, no doubt that in the settlement of the Eastern Question the right of peoples to self-determination has been as completely disregarded as in the settlement of European questions.

ix

EGYPT

Egypt's fate was determined by Section 6 of Part IV. of the Treaty of Versailles (Articles 147 to 154). Article 147 lays down that—

Germany declares that she recognizes the Protectorate proclaimed over Egypt by Great Britain on December 18, 1914, and that she renounces the régime of the Capitulations in Egypt.

But the recognition of this Protectorate was incompatible with several of Mr. Wilson's essential Points. Things have happened in Egypt which have shown, even to the observer most hostile to the cause of Egyptian independence, that the Egyptian people did not want this Protectorate. Its recognition was therefore equivalent to a denial of the second Point in Appendix C, the one which is the most emphatic in

regard to the right of peoples to dispose of themselves, since it proclaims that the settlement of every question affecting sovereignty must take place

upon the basis of the free acceptance of the settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.

To recognize the British Protectorate was also equivalent to denying the first and fourth Points in Appendix B and the preamble to the five Points in Appendix D.

To anyone who has followed attentively all the divagations of the Peace Conference, it is evident that the infractions of the Wilsonian terms there committed were the result of unedifying bargains between the members of the Entente. Each one was ready to forgive his neighbour's trespasses in return for forgiveness of his own. This happened in the case of Egypt as in other cases examined above. Consequently it may be affirmed that in the case of Egypt, as in those examined above, yet other of President Wilson's Points were disregarded, namely the second Point in Appendix B, which requires that peoples "are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game," and the third Point in Appendix B, which requires that a territorial settlement shall not represent "a compromise of claims amongst rival States."

Such was the work of the Peace Conference. It only remains to hope that within the framework of the new régime granted to Egypt by Great Britain, a régime intermediate between autonomy and independence, a *modus vivendi* giving satisfaction to both parties may be arrived at.

X

SHANTUNG

If Germany had been compelled to renounce Alsace-Lorraine not in favour of France but of Great Britain or Italy, what would have been thought of this solution? Yet it was a solution of this sort which was arrived at in the question of the Chinese province of Shantung.

Following the assassination of two German missionaries in the interior of Shantung in November, 1897, the German Government undertook the military action which ended in the agreement of March 6, 1898, under which the Chinese Government granted Germany a certain number of advantages and privileges which amounted in effect to a disguised seizure of the country.

Japan had taken part in the war against Germany from August, 1914, and after a short campaign she obtained possession of the positions which the Germans had occupied in Shantung. It should be noted that before declaring war on Germany she had called upon her to surrender these positions to her with a view to their eventual restitution to China. China did not come into the war until much later, when the Japanese had already taken the place of the Germans in Shantung.

When the war ended China, as one of the Allied and Associated Powers, should in logic and equity have resumed possession of the territory and the privileges which she had been forced to concede to the Germans. But under Articles 156 to 158 of the Treaty of Versailles Germany renounced all her rights and privileges in Shantung in favour of Japan. It is true that Japan continued to hold out the prospect of their restitution to China; but as no date was fixed for this, China had no guarantee that it would ever take place.¹ For this reason China refused to sign the Treaty of Versailles.

¹ See page 40. Chinese sovereignty over Shantung was restored in 1922.

In this way a country with thirty-five to forty million inhabitants was placed against its will under foreign control—one of the most striking examples of disregard of the right of peoples to dispose of themselves.

Mr. Wilson at first opposed this solution, partly on principle and partly, no doubt, because it was not to the interest of the United States that Japan should gain a footing in China. In the end, however, he gave way.

xi

M. BARTHOU'S ADMISSIONS

In his report to the French Chamber, after placing the right of peoples to dispose of themselves at the head of the four general principles of which he claimed that the Treaty of Versailles was the expression, M. Barthou himself showed—was it unwittingly or in ironic persiflage?—that the Peace Conference had failed in this capital point. He said:

The theory of nationalities, which the French Revolution instinctively recognized without actually enunciating it as a principle, had for the Revolution the logic of a doctrine and the seductiveness of a sentiment. But it is easier to proclaim it than to realize it. Everything contributes to nationality, but nothing determines it. Where does it begin, where does it end? What composes it? Who will accurately draw its contours? What rules will determine its interior structure, and what lot shall be meted out to its dissident minorities? Who will dictate the precautions necessary against explosions which may endanger the general security? When President Wilson declares that "peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game," he receives universal assent. So also if he adds that "every territorial settlement must be made in the interest and for the benefit of the populations concerned, and not as a part of any mere adjustment or compromise of claims amongst rival States." But does not he himself feel the difficulty of transforming these absolute principles, of which no one contests the justice, into practical realities and positive guarantees? He speaks of "well-defined national aspirations." Who will

define them? He requires in each part of the final settlement "such adjustments as are most likely to bring a peace that will be permanent." Who will be the judge of this likeliness?

Washington wrote to Lafayette on December 25, 1778:¹ "I desire the well-being of all peoples, of all men, and my policy is very simple. I believe that every nation has the right to set up the form of government from which it expects the greatest happiness, *provided that it does not injure any right and is not a danger to other countries.* I think that no Government has the right to intervene in the internal affairs of another country, *except for its own security.*" These wise reservations attenuate the consequences to be drawn from a principle the rigorous application of which might substitute the gravest perils for the injustices which it has the noble intention of suppressing. These reservations were imposed on the Conference, which did not commit the imprudence of pushing the doctrine of nationalities to its extreme limits. The Treaty of Versailles restores to oppressed nationalities a life which brutal conquest had destroyed; in this it is doing a just work; it rests with the wisdom of the community to render it enduring. But does it not shock one's sense of justice that the Chinese province of Shantung, which was wrested from China by force and fraud, should not have been returned to China? One must wish and hope that the wisdom of Japan will spontaneously renounce settlements which are an affront to equity and justice and a stain upon a Treaty of reparation.

So spoke M. Barthou. These seem to be something more than valuable admissions; they seem to be something like persiflage at the expense of poor Mr. Wilson, for whom nothing more was wanting than to be confounded by a Frenchman wielding against him the authority of Washington. M. Barthou would have been nearer the truth, franker and more courteous towards the American President if he had confined himself to repeating what Albert Sorel said of popular franchise and of the right of self-determination: "They are invoked when they are considered profitable and rejected when they are found troublesome."

¹ Translated from M. Barthou's version.

CHAPTER V

VIOLATIONS OF THE VERSAILLES TREATY, COMMITTED OR PLANNED

i

ARBITRARY SANCTIONS

BEFORE pronouncing a general verdict on the peace settlement, it would be well, in order to appreciate its scope, to show how the Allies have applied it in certain directions, and to indicate the abuses to which it may open the way.

Not only did the Treaties of 1919 represent a violation of the Pact of November 5, 1918; so far as the Treaty of Versailles is concerned it became evident that the Entente was determined to treat it in the same way as the Pact, by disregarding certain stipulations and replacing them by arrangements much more burdensome for Germany. To be more exact, it was France rather than the Entente who appeared to have taken this resolve.

The end pursued was plainly a double one: as regards sanctions, to exaggerate those provided by the Treaty or to imagine fresh ones, perhaps in the hope of securing more easily Germany's payment of her war debt; and secondly, a much graver matter, to contrive, by means of a sophistical interpretation of the Treaty and the negotiations which preceded it, to detach the Rhineland from Germany. As regards the former aim I say "perhaps in the hope"; for it may be that in reality only one aim was being pursued, the second one.

It is even possible that this second aim was destined to be only a stage in the accomplishment of a vaster plan, the complete dismemberment of Germany.

The Section of the Treaty which governs the "guarantees" for its "execution" in Western Europe is Section I

(Articles 428 to 432) of Part XIV. Article 428 reads as follows :

As a guarantee for the execution of the present Treaty by Germany, the German territory situated to the west of the Rhine, together with the bridgeheads, will be occupied by Allied and Associated troops for a period of fifteen years from the coming into force of the present Treaty.

Article 429 stipulates that "if the conditions of the present Treaty are faithfully carried out by Germany, the occupation referred to in Article 428 will be successively restricted"—at the expiration of five years, by the evacuation of the territory corresponding approximately to the Anglo-Belgian zone of occupation; at the expiration of ten years, of a territory corresponding to the American zone; at the expiration of fifteen years, of a territory corresponding to the French zone.

This Article 429 ends with a stipulation which will be dealt with a little farther on in connexion with a Poincaré-Tardieu controversy.

Article 430 reads as follows :

In case either during the occupation or after the expiration of the fifteen years referred to above the Reparation Commission finds that Germany refuses to observe the whole or part of her obligations under the present Treaty with regard to reparation, the whole or part of the areas specified in Article 429 will be re-occupied immediately by the Allied and Associated forces.

Article 431 stipulates that "if before the expiration of the period of fifteen years Germany complies with all the undertakings resulting from the present Treaty, the occupying forces will be withdrawn immediately." Finally, Article 432 provides for subsequent arrangements in regard to matters relating to the occupation and not already provided for.

All this is quite clear. The upshot is that the maximum which the Allied Powers may permit themselves is an occupation lasting fifteen years, or in certain eventualities longer,

of the left bank of the Rhine, including the bridgeheads. There is nothing in these Articles which could be interpreted as authorizing the occupation of any point of German territory outside the zone thus defined.

ii

THE OCCUPATION OF RUHRORT, DUISBURG, AND
DÜSSELDORF

The occupation of these three towns was a first violation of the Treaty of Versailles.

It is a curious thing that M. Briand as Prime Minister had the frankness, or the imprudence, to declare that he had gone beyond the Treaty, though it is true that he maintained that he had the right to do what he had done. In his speech at Saint-Nazaire on October 9, 1921, he stated that Germany had refused to submit to the Allies' programme of reparations, and went on as follows (*Temps*, October 11; I have italicized the cardinal words):

Had the French Government taken refuge in the feebleness that gives birth to concessions? No. It stood there, conscious of the strength of its country, anxious not to abuse it, but thoroughly decided to use it if it were compelled to. And the French Government gave the order to put into operation the sanctions which it had intended to apply—sanctions *which are not in the Treaty*, but which derive from international law, from common law—the occupation of Ruhrort, Duisburg, and Düsseldorf; and in 48 hours these three towns were occupied.

For the rest, M. Briand was ready to go still farther, since in this same speech at Saint-Nazaire he said that if Germany had not given way further sanctions would have been taken.

Speaking in the Chamber of Deputies on June 1, 1922, M. Briand, then no longer Prime Minister, re-enunciated his strange theory:

In my view the Treaty is dominated both by the national sovereignty of each of the countries which

are parties to it and by common international law; the Treaty has in no way interfered with the one or the other.

When the question arose of occupying Ruhrort, Duisburg, and Düsseldorf, there was a busy discussion of the question whether the Allies had the right to do this. *The right did not derive from the Treaty, it was not among the military sanctions envisaged.*

But it was considered that this action could be undertaken in virtue of common international law. International law had in fact been reserved at the moment of the signature of the Treaty—it must not be forgotten—in a letter written by the Allies to the president of the German delegation. It was signified to him that the Treaty did not override this law, which could always be applied.

Sanctions “which are not in the Treaty”—these words are a condemnation of the sanctions policy adopted by the rulers of France. If “international law,” “common law” as M. Briand called it, allowed sanctions to be adopted which went far beyond those provided in the Treaty, why was all the trouble taken to embody sanctions in it? Why not have simply reserved the right to have resort to “international law,” to “common law,” in the event of Germany failing in her obligations? To enable even those who are most prejudiced against Germany the better to understand the inadmissible and reprehensible nature of the theory formulated by M. Briand, and followed by him and his successor, I will employ a hypothesis. The Treaty of Frankfurt stipulated that Germany should occupy a certain number of French Departments until France had paid her indemnity. Let us suppose that France had not had the means to borrow and so to pay off her debt by the appointed date. Would French opinion have admitted that, owing to this “insolvency” of France, Germany had a right to advance beyond the zone defined in the Treaty and to occupy French towns outside this zone, as France occupied Ruhrort, Duisburg, and Düsseldorf, and that she might put forward the claim to occupy or might actually occupy a French

region of importance corresponding to that of the Ruhr? If Germany had done this, her action would have been denounced in France and outside France, as a violation not only of the Treaty of Frankfurt but of international law, and it would have been rightly denounced.

“International law,” “common law,” tells us, as no jurist will contest, that it is contrary to international law to invade, without any declaration of war, a country with which one is at peace, and to place a part of its territory under military occupation. The military occupation of the German towns, if it was not authorized by the Treaty, had this character of an act contrary to international law. But M. Briand recognized that it was not authorized by the Treaty. In his declaration of June 1, 1922, he said “it was considered that this action could be undertaken in virtue of common international law.” This “it was considered” lacks precision and has something disquieting about it. It would be interesting to know who “considered” this, who was so ingenious as to induce from international law authority for an action which it prohibits. Was it M. Briand himself? If not, who were his advisers? On what paragraphs did they rely? What authorities were they able to quote? M. Briand should have made this clear.

In the Chamber of Deputies on November 17, 1922, M. Poincaré, then Prime Minister, said: “In the absence of any imperious necessity forcing us to draw means of action from general international law, I am anxious as far as possible to use only the weapons with which the Treaty furnishes us.” It will be observed that while adopting the thesis of M. Briand he showed himself less disposed to go for his weapons to “general international law.” He has the reputation of a consummate jurist. Had he perhaps his doubts as to the regularity of that method of procedure?

Not only were the sanctions adopted in March, 1921, to force Germany to accept the Allied reparation account, adopted in violation of the Treaty, but when Germany gave

way a spectacle still less edifying was witnessed. The application of the sanctions was not immediately brought to an end; even the economic ones, such as the Customs barrier which isolated the Rhineland from the rest of the Reich, were not ended.

Ultimately the economic sanctions were lifted. But the military sanctions were continued. In regard to these, indeed, M. Briand made a very grave statement at the sitting of the Chamber of October 21, 1921. After mentioning that France's Allies had been trying to get these sanctions lifted, he said:

To this I gave the most decided refusal. I declared that "the military sanctions are the guarantee of our security, for our security is not assured. They are also the guarantee of the full execution of the Treaty. The mere fact that Germany has made a first small gesture is no reason why we should be able to embark on such an act of generosity, at a moment when doubts are beginning to be felt whether Germany will make a second gesture." I held my ground on this, and I gained my way.

M. Briand even added:

I have, moreover, not the slightest intention of abandoning a position which we hold and which is a guarantee for us in our uncertain situation.

Thus, the Treaty provides only for the occupation of the left bank of the Rhine, and for its possible evacuation well in advance of "the full execution of the Treaty." M. Briand, however, occupied German territories beyond the left bank, and wanted to continue the occupation as "guarantee of the full execution of the Treaty," giving reason to suppose that he claimed a right to continue it until the full execution of the Treaty. As a violation of the Treaty it will be difficult to imagine anything more flagrant.

In this occupation, not provided for by the Treaty, and therefore illegal, M. Briand also saw a guarantee of France's security, which, according to him, was not assured. This claim was even graver than the other one, for it could be

advanced as a pretext for an indefinite occupation. It is possible to conceive in theory the full execution of the Treaty. The occupation would then cease if its only purpose were to secure the full execution of the Treaty. But it might then have to be admitted that France had not obtained from her Allies, in the matter of security, guarantees which she could regard as adequate. And in that case, if the purpose of the occupation was to guarantee France's security, it would still be impossible to foresee when it would be brought to an end.

Subsequently it proved that M. Briand had found followers. A Parliamentary mission, headed by M. Dariac, President of the Finance Commission, had been sent to the Rhineland and Saar to examine especially "the economic and political situation in these regions in regard to the rights and obligations of our country arising out of the Treaty of Versailles." The report on the work of this mission, drawn up by M. Dariac, was given in résumé by the *Temps* of July 4, 1922. So far as concerns the occupation of Ruhrort, Duisburg, and Düsseldorf, the report says that what is striking in this region "is its strongly accentuated industrial character, which makes it a pledge in our hands of quite the first importance for the recovery of the sums which Germany has engaged to pay us." The report also says that "the large scale industry, the heavy industries of the whole of the Ruhr, concentrated in the hands of a few individuals, are thus calculated to play a decisive rôle in the future development of events in Germany." The report further says: "No doubt, we do not hold the whole of the Ruhr, but even with our present occupation we dominate in reality the whole of its industrial production."¹ Finally it says: "There is one question which should be beyond all controversy, and that is that we cannot dream of abandoning this pledge." In other words, M. Dariac was assimilating the part of the

¹ In the sequel France was, from January, 1923, to "hold the whole of the Ruhr."

Ruhr which had been occupied in violation of the Treaty to the territories occupied on the left bank, for a limited time, under the Treaty.

Reference must also be made to a declaration which M. Poincaré made as Prime Minister to the Chamber of Deputies on November 7, 1922. Replying to M. Loucheur, who was concerned to assure France's security, he said :

It can be assured by virtue of the Treaty itself, which provides that the left bank of the Rhine can only be evacuated when Germany has fulfilled all her engagements. She has not fulfilled them; so long as she has not fulfilled them, the periods do not begin to run. The late Government said the same thing : until the Treaty is scrupulously executed, France will not abandon the left bank of the Rhine.

Thus M. Poincaré, like M. Briand, apparently claimed for France the right to occupy the left bank of the Rhine so long as Germany had not fulfilled "all" her engagements, in other words, so long as she had not paid "all" of her war debt. This claim was absolutely contrary to the Treaty, which provides that final evacuation shall take place at the end of fifteen years, and that Germany has thirty years in which to pay her debt in full. Under the Treaty the occupation may be prolonged or renewed in proportion as Germany has failed to observe that part of her obligations which should have been observed at the moment of the decision to prolong or renew the occupation. That is the sense of Article 430, quoted above. If, for example, at the end of fifteen years Germany had failed to fulfil the part of her obligations due to be fulfilled up to that moment, the occupation could be continued. Or if, after evacuation had taken place, Germany having fulfilled that part of her obligations, she subsequently ceased to fulfil the remainder of her obligations, the occupation could be renewed. But it is contrary to the Treaty to hold, as was held from 1922 onwards in France, that the occupation could continue in any case until Germany had fulfilled "all" her obligations, that is, paid "all" her debt.

Documents have been published which show that during the peace negotiations M. Poincaré expressed regret that the Treaty did not make the occupation last until the German debt had been paid in full. He thus recognized that this was so.¹ For this reason it seemed the more inexcusable that he should, from November 1922 onwards, have adopted an opposite contention; more inexcusable than for M. Briand to do so, since he had not made public declarations recognizing the actual position. Yet, as we shall see, M. Poincaré was to go still farther than M. Briand.

iii

“SUCH OTHER MEASURES . . .” (“TELLES AUTRES
MESURES . . .”)

Other arguments have been sought in the text of the Treaty of Versailles in support of abuses of it.

The spectacle has been witnessed of attempts being made, at first timidly, then with more assurance, to take advantage of paragraph 18 of Annex II to Section I of Part VIII, relating to reparations. Annex II deals with the functioning of the Reparation Commission. Here are paragraphs 17 and 18 :

17. In case of default by Germany in the performance of any obligation under this part of the present Treaty, the Commission will forthwith give notice of such default to each of the interested Powers and may make such recommendations as to the action to be

¹ He recognized it in the course of his controversy with the *Daily Telegraph*, on the one part, and with M. André Tardieu on the other—a controversy which will be referred to later in another connexion. See on this subject the *Temps* of September 12, 13, 15, 16, 18 and 22-1921, and the *Matin* of September 19, 1921. From the “Souvenirs et Documents” published by M. Poincaré it appears that he regarded it as a danger for France that the occupation was not to be prolonged until the payment in full of the debt; that he made great efforts to secure this satisfaction for France from the Allies; that his efforts were frustrated by the resistance of Great Britain and the United States; and consequently that the Treaty does not grant this satisfaction to France.

taken in consequence of such default as it may think necessary.

18. The measures which the Allied and Associated Powers shall have the right to take, in case of voluntary default by Germany, and which Germany agrees not to regard as acts of war, may include economic and financial prohibitions and reprisals and in general *such other measures (telles autres mesures)* as the respective Governments may determine to be necessary in the circumstances.

It requires a good deal of audacity to draw from these words, "such other measures," a conclusion contrary to Articles 428 to 432, the sense of which is so clear. This vague paragraph, contained in an annex, cannot invalidate or weaken the actual Articles of the Treaty. Everything goes to show that all that is intended is measures of the same order as those comprising acts of economic prohibition and reprisal. It is equally evident that this paragraph 18 has reference to a "voluntary" failure on Germany's part to fulfil her obligations. Yet the French Press, and subsequently the Government itself, maintained that the words "such other measures" authorized sanctions of any sort. In his speech at Bar-le-Duc on April 24, 1922, M. Poincaré, then Prime Minister, made the same claim. He made it plain that if Germany did not conform before May 31 to the conditions attached by the Reparation Commission to the continuance of the moratorium, and if after May 31 she did not proceed to make payment of reparations on the basis laid down, the Allied Powers would have, jointly or separately, to take steps under paragraph 18.

There is no escaping the conclusion that either this paragraph 18 was not intended to authorize sanctions going beyond those provided by Articles 428-432 of the Treaty; or else it must have been introduced by a trick in an inconspicuous Annex of the Treaty, with the intention of seeking from it at a later date a pretext for fresh sanctions to which no limits could be set.

The claims and intentions of the rulers of France had been

well known for some time, and M. Poincaré's Bar-le-Duc speech did not occasion any great surprise. But it did produce a great deal of excitement, and there followed a controversy between London and Paris which threw into relief certain aspects of the question at issue.

In the House of Commons on May 18, Mr. Chamberlain, speaking in the name of the British Government, declared that in 1920, after the occupation of Frankfurt, the French Government had undertaken to abstain from all separate action aimed at securing the execution of the Peace Treaty. On May 19, in Paris, M. Klotz, who had been one of the French negotiators of the Treaty, wrote to M. Poincaré, the Prime Minister, and asked for an explanation in regard to Mr. Chamberlain's declaration. At the same time he contended that under paragraphs 17 and 18 France had the right to take isolated action in the form of fresh sanctions against Germany. M. Poincaré replied, concurring with his view. As to the undertaking which France gave in 1920, this, said the Prime Minister, was given in connexion with a controversy "relating exclusively to a step which France had taken in isolation, in the common interest, under international law (*sic*), and one which was not expressly provided for by the Treaty." On May 24 the *Temps* recalled, in support of the contention of the French Government, that in October, 1920, Great Britain, acting independently, had notified to the German Government that she was renouncing the application of paragraph 18 to German property in the United Kingdom, which meant that if Germany defaulted in her reparation payments the British Government renounced in advance the inclusion in any sanctions to be taken of the seizure of German property in Great Britain. The *Temps* also quoted a declaration made by Mr. Chamberlain on October 28, 1920, in which he claimed for Great Britain the right to take this independent step. Was the British Government, then, inconsistent—was it refusing to the French Government a right which it claimed for itself? The

sequel showed that it was not, the apparent contradiction arising out of a difference of interpretation in the matter of the nature of the steps envisaged by paragraph 18. In the House of Commons on May 24 Mr. Chamberlain made the following declaration :

Paragraph 18 is understood by His Majesty's Government as conferring upon the individual Governments the right to take action independently, but the action taken must be of the nature contemplated by the paragraph, namely, economic and financial prohibitions and reprisals, and in general such measures as it is proper for Governments to take individually. I would remind the hon. and gallant member that by paragraph 12 of the same annex, the right to interpret the provisions of the Reparation Section of the Treaty is conferred upon the Reparation Commission, and that the views of His Majesty's Government on the subject have, therefore, no binding character.

Mr. Chamberlain thus established a fact which can hardly be seriously questioned, namely, that the steps envisaged by paragraph 18 cannot possibly include military sanctions with the occupation of territory as their objective. The British Government had thus not been inconsistent. In its view the undertaking given by France in 1920 had reference to steps of the nature of occupations of territory and not to the prohibitions and reprisals of an economic nature envisaged by paragraph 18, which may be resorted to independently by the respective Governments.

As to the stipulation in paragraph 12 to which Mr. Chamberlain referred, paragraph 13 lays down that " questions of the interpretation of the provisions of this Part of the present Treaty " must be determined unanimously by the Reparation Commission. Paragraph 13 also provides for recourse to " the arbitration of some impartial person " in case of any difference of opinion among the members of the Commission upon the question whether a given case is one which requires a unanimous vote for its decision or not. It follows that no Power may ride roughshod over a difference

of interpretation as regards the measures envisaged by paragraph 18.

Morally and politically it will be recognized that no analogy can be drawn between Great Britain's renunciation of a very mild sanction against Germany and the exercise against Germany by France of a sanction so grave as the occupation of territory. There need be no harm in interpreting a text in such a manner as to give the other party the benefit of any doubt. But one is on very delicate ground if one gives the doubtful text an interpretation of a Draconic character against the other party.

In the French Chamber on June 1, 1922, M. Poincaré, as Prime Minister, explained his interpretation of paragraph 18. After quoting the text he continued :

The expression "other measures," gentlemen, is, as you see, as general as can be. I know, moreover, that in the discussion of this passage, in the preparation of which M. Klotz collaborated, military measures or measures of military demonstration and military occupation were expressly envisaged. I know, especially, that M. Clemenceau cited such examples as the occupation of Mytilene by French troops for the recovery of a French debt, the demonstration made by Germany herself at Haiti, and the American landing in that island.

Moreover, the word "respective," both in the French and in the English, leaves no room for doubt of any sort, and a few months ago, in order to justify the separate steps taken independently of us and without our knowledge by the British Government in the matter of German property in Great Britain, Mr. Chamberlain relied precisely on this expression in paragraph 18.

In saying that the expression "other measures" was "as general as can be," M. Poincaré, without appearing to suspect it, supplied an argument against his contention. It is true that if it is not admitted, as the ordinary sense would imply, and as Mr. Chamberlain contended, that these "other measures" are of the same order as economic and financial reprisals, one is compelled to admit that they are "as

general as can be," that is to say, that they authorize sanctions of any nature whatever. One is then led to the absurd and, indeed, immoral conclusion that any of the ex-enemies of Germany, Germany being incapable from now onwards of defending herself, is to be permitted to embark on any enterprise whatever against Germany on the pretext of applying sanctions—an absurdity and an immorality which cannot have been intended by the authors of the Treaty.

Yet, according to M. Poincaré, the negotiators of the Treaty of Versailles, in elaborating this paragraph 18, did actually envisage military measures and military occupation. In other words, they gave to paragraph 18 among themselves and in the secrecy of the negotiations a meaning which is impossible to justify from the wording. This, we are to suppose, was agreed between them not only without Germany's knowledge but without that of certain Allied Powers, since not all of the Allies collaborated in drawing up the Treaty. This would have been a double deception. Germany, who was excluded from the negotiations, would have been made to sign a document without the possibility of her suspecting the concealed meaning which had been attached to it in the secrecy of the negotiations; as to the Allied Powers who did not take part in the negotiations, they would have been made unwitting and involuntary accomplices in a dishonest manœuvre. This dishonesty would have been reminiscent of that which marked the beginning of the Dreyfus affair. Captain Dreyfus was condemned on the strength of a secret document which was not produced at the public hearing, and of which he and his counsel had no knowledge. A machination of this nature, conspired in by the authors of the Treaty, would have been the "secret document" of the Versailles affair; or rather, one of the "secret documents," for, as will be seen later on, there would have been another, and a still graver one.

It goes without saying that a clause introduced into the

Treaty by such proceedings would have been invalidated by its very dishonesty.

As to M. Poincaré's comparison between what he claimed the right to do under paragraph 18 and what was done at Mytilene and Haiti, this case had nothing in common with those. For the comparison to be valid it would have been necessary for regular treaties to exist between France and Turkey, between Germany and Haiti, and between the United States and Haiti, providing for definite sanctions in the event of non-payment of the sums owed, and for France, Germany, and the United States, instead of keeping to these definite sanctions, to have had recourse to the military measures recalled by M. Poincaré.

In any case, these military solutions came into the category of those which are generally condemned by authorities on international law. As is well known, the recovery of debts by military means employed against States with which one is at peace is not regarded by these authorities as permissible. A French step of this nature against Turkey, and a German and an American one against Haiti, do not suffice to enshrine the practice in the body of international law.

In any case, we see here the first steps being taken by those who desired to emancipate themselves from the Treaty, or in other words to violate it. By such stages they gradually came nearer to their goal. The ground was well prepared.

iv

THE OCCUPATION OF THE RUHR

The sensational resort to force in January, 1923, thus surprised no one. It was the logical and expected culmination of a situation which everyone had seen developing in this direction. It will be convenient to examine the events from two points of view—first that of the “arbitrary sanctions” which we are now discussing, and then that of the next section of this Chapter, which deals with the French plans directed not only against the Ruhr but against the

Rhineland, with the aim of separating these two territories from Germany.

The way was paved for the events of January 1923 by two decisions arrived at by the Reparation Commission on December 26, 1922. Under the first of these the Commission, in interpreting the Treaty, declared unanimously that the term "default" in paragraph 17 of Annex II. to Part VIII. must be considered as having the same meaning as the term "voluntary default" in paragraph 18. In other words, every "default" became a "voluntary default." The decision was absurd; for if it can be admitted that some defaults may be "voluntary" it cannot be admitted that all are. It was unjust and dangerous; for it opened the door to every abuse.

Under the second decision the Commission declared by three votes to one (Great Britain) that Germany had defaulted in regard to her obligations, and therefore "voluntarily" defaulted, in the matter of the timber deliveries which she should have made in 1922. At the same time the Commission decided—this is very important—to call the attention of the Governments concerned to its letter of March 21, 1922, fixing the payments to be made by Germany in 1922, and adding that "equivalent payments in specie will be required of Germany at the end of 1922 in place of deliveries in kind that she has failed to make." Two things must be noted: the defaults envisaged did not concern timber deliveries alone but "deliveries in kind," which include coal; and secondly, as sanction for such defaults the Governments concerned were to demand from Germany equivalent payments in specie.

In making this suggestion the Commission had conformed with paragraph 17, of which the text was given above, and which requires that the Commission shall give notice of Germany's defaults to the Powers concerned, "and may make such recommendations as to the action to be taken in consequence of such default as it may think necessary."

On this important point Signor Mussolini later, on

November 16, 1923, gave explanations which amounted to a very grave judgment on M. Poincaré's arbitrary action. It was the Italian delegation that reminded the Reparation Commission that under its agreement of March 21, 1922, with the German Government it had laid down (*stabilito*) that if Germany failed to make the due deliveries in kind she would have to pay in specie the value of the quantity short. The Italian delegation accordingly requested the Commission to remind the Governments themselves that the sanctions had in this case to be exclusively financial, and to consist of the invitation to Germany to pay in specie the value of the timber not delivered. The Commission welcomed the proposal of the Italian delegation, and "notified Germany's default to the Governments, together with the arrangement made under the agreement of March 21, 1922, concerning sanctions."

When, therefore, M. Poincaré declares that he proceeded to the military occupation of the Ruhr after a decision of the Reparation Commission authorizing it, almost inviting it, there is only one word which can be applied to his statement—impudence.

Signor Mussolini also told the Senate at this sitting how M. Poincaré secured Italian participation in the engineers' mission which he intended to send into the Ruhr. He had not let it be known that this mission was to be accompanied by military forces. Only after he had secured Italian participation in the civil mission did he notify to the Italian Government, at the same time as the German Government, that troops were being despatched to the Ruhr.

On January 9, 1923, again by three votes against that of Great Britain, the Reparation Commission certified a further default—and therefore "voluntary" default—on Germany's part, in the matter of coal deliveries. Germany had supplied only 35,000 cubic metres of sawn timber instead of 55,000, and 65,000 cubic metres of timber for telegraph poles instead of 200,000. As regards coal, she had delivered only 11,710,365

tons instead of 13,864,100. In accordance with the reminder given by the Reparation Commission she should thus have been required, as a sanction, to pay sums in specie corresponding to the value of the short delivery.

Yet, as a sanction for these shortages, trifling in amount, the French Government proceeded to the occupation of the Ruhr.

At the sitting of the Commission on January 9 the American observer, Mr. Boyden, while recognizing Germany's defaults, declared that in his view they were not, in the enormous problem of reparations, of sufficient importance to justify the setting in motion of the gravest sanctions. He also declared that in his view these defaults were due largely to the Treaty of Versailles, which he considered impossible of fulfilment.¹

The enormous disproportion between the defaults and the sanction adopted by the French Government could thus be taken as proof that for that Government the sanction was not a means of making good the default, but the defaults were simply a pretext and the sanction an end in itself. This end, of an essentially political nature, was, indeed, to appear very clearly in the course of the occupation of the Ruhr and of the events which followed it. The rather puerile hypocrisy to which recourse was had in order to gloss over the truth could deceive no one. The French Government notified to the German Government that it was sending into the Ruhr a "control mission composed of engineers" to "assure the strict application of the programmes laid down by the Reparation Commission and to take all measures necessary for the payment of reparations." This had a very innocent air. But these engineers were accompanied by troops to the number, at first, of three divisions, not—oh no!—to proceed "to an operation of a military

¹ Later, in New York, Mr. Boyden declared that he regarded the occupation of the Ruhr as "a violation of the Treaty, not only in the spirit but in the letter." (*Temps*, December 25, 1923.)

order or an occupation of a political character," but "to safeguard the mission and guarantee the execution of its mandate." There could only have been an "operation of a military order" if German troops had resisted the French troops. But there was a military occupation which was certainly "an occupation of a political character." The technical mission and the General commanding the occupying corps were furnished with powers which virtually suppressed Germany's sovereignty in the Ruhr. The German civil authorities were retained, but they were to defer to the orders which would be given them by the military occupying authority. A state of siege was proclaimed, and courts-martial set up. In a word, Germany was no longer mistress in the Ruhr. There was no state of war, but a foreign State had taken possession of that territory. This must be kept in mind in order to realize the political scope of the operation and its association with the plan of dismembering Germany.

It was not to be wondered at that the German Government should have replied to the occupation of the Ruhr with the policy of "passive resistance" which was to lead to fresh and yet graver infringements of German sovereignty. One is tempted to compare the attitude of the German Government with that of the Serbian Government after the Austrian ultimatum of July 1914. It was admitted at the time that Serbia could not accept the ultimatum, since it infringed her sovereignty as an independent State. Surprise was, indeed, felt that the Austrian Government should have hoped for an instant that she would accept it. But the surprise disappeared later, when the publication of the diplomatic documents brought the proof that the Austrian Government not only did not hope this but hoped the opposite, counting on Serbia's resistance to provide a pretext for the declaration of war. Be it noted that the Austrian ultimatum involved a much slighter infringement of Serbia's sovereignty than the Ruhr occupation of Germany's. There

had, especially, been no question of sending an Austrian army to accompany the Austrian officials who were to supervise the action of the Serbian Government.

An unheard-of act was, moreover, to show what flouting of international law the occupation of the Ruhr involved and what juridical and political chaos it produced. Ruhr industrialists who had refused to obey the orders of the occupying military authority, in conformity with the orders of the German Government, their legal Government, were brought before the French court-martial sitting at Mainz. In order to prove that the occupying military authority had acted legally in the Ruhr, the officer occupying the seat of the administration at Mainz invoked the terms of the Fourth Hague Convention, the "Convention concerning the Laws and Customs of War on Land." This Convention lays down that the authority of the occupying military force is substituted for that of the civil powers, but only *in time of war*. This Fourth Convention can thus have no validity except as between States at war with one another, as France and Germany were not in January, 1923. Thus, while the French Government was declaring that its intervention in the Ruhr had no military or political character, French military justice was obliged to invoke the "laws and customs of war" to justify the action of its agents!¹

At a later date this Fourth Convention was again invoked

¹ The official title of the fourth Hague Convention, of October 18, 1907, is *Convention concerning the Laws and Customs of War on Land*. This title itself indicates that the provisions of the Convention can only be invoked in time of war. This is confirmed by the whole of the Convention and by the regulations annexed to it, of which the official title is *Regulations respecting the Laws and Customs of War on Land*. The first section of these regulations is entitled "Belligerents," the second "Hostilities," the third "Military Authority over the Territory of the Hostile State." Article 42 says, "Territory is considered to be occupied when it is actually placed under the authority of the hostile army." To talk of "belligerents," "hostilities," and a "hostile army" is to talk of a state of war. There can be no question as to that.

by the French court-martial which condemned Schlageter to death. When protests were made in Germany with regard to this case, the French military authorities at Düsseldorf replied by issuing a note which the *Temps* published, on June 16, 1923, and which contained this enormity: "Every army stationed on enemy territory has the duty and the legal means of watching over its safety." *On enemy territory*—but this territory was not "enemy," since there was no state of war between France and Germany. The condemnation of Schlageter was thus illegal.

It was again in the name of the Fourth Convention that exorbitant penalties were inflicted by a French court-martial on the directors of the Krupp works. The judgment was appealed against, but the French Supreme Court admitted the competence of the court-martial. It declared that foreign territory occupied, even after the war, by French troops "for the protection of the public interests which require this operation," must be considered as enemy territory in the sense of Article 63 of the code of military justice. In giving this judgment the Court of Appeal, instead of pronouncing judgment on M. Poincaré, served his purpose. It must be said in excuse for it that it was in a situation of tragic delicacy. Had it given judgment in accordance with law and common sense, it would, in disavowing M. Poincaré, have aggravated the injury which he had done to France, for it would have published the fact of the injury. It is, therefore, perhaps to France rather than to M. Poincaré that it felt that it was rendering service.

As to the ultimate intentions of the French Government in occupying the Ruhr, M. Poincaré revealed them later when he said that France would not give up this pledge until Germany had paid the whole of her debt. In so doing he both gave precision to and aggravated the claim already made by M. Briand in the matter of the three Rhenish towns occupied, and by himself in the matter of the Rhineland—that evacuation would not take place until after the

full payment of the German debt. The claim was aggravated by extension from the Rhineland and Rhenish towns to the Ruhr. Its application to the Rhineland was already a violation of the Treaty; its application to the Ruhr, a territory occupied in violation of the Treaty, was a double violation. In the House of Commons on February 27, 1923, Sir John Simon asked Mr. Bonar Law, Prime Minister, what was the amount of the debt which France required to be met as a condition of withdrawal from the Ruhr. Mr. Bonar Law replied, "The amount of the debt, presumably, is the figures arranged in 1921." Sir John Simon then asked, "Are the figures referred to the figures which the Prime Minister has declared to be impossible of collection?" Mr. Bonar Law replied, "Yes, sir." This conveyed the full scope of M. Poincaré's declaration: France would not evacuate the Ruhr, since Germany would be unable to pay the debt imposed upon her (in violation of the Pact of November 5, 1918). These questions in the House of Commons, taken with the claims put forward by MM. Briand, Poincaré, and Dariac, threw full light on the real nature of the policy underlying the occupation and sanctions.

On March 27, in the Finance Commission of the Chamber of Deputies, M. Poincaré declared that the abandonment of Essen could only be envisaged "when the full settlement of reparations had been effectuated."

In his speech at Nevers on November 1, 1923, he declared that France would retain her pledges, that is to say, the Ruhr, "until completion of payment." In his speech at Brive on November 4 he said, "We have thus had to take precautions to prevent anyone robbing us of our pledges before full payment." In the same speech he said, "The Treaty reduced the period of the Rhine occupation much below the period necessary for liberation from the debt." He thus recognized that the Treaty did not give the right to prolong the occupation "until full payment," at the same time as he declared that the occupation would be so prolonged.

As justification for only evacuating the Ruhr and the other newly occupied territories on the right bank in proportion as Germany met her obligations, an entirely untenable comparison was instituted. It was pretended that to evacuate the Ruhr in this way would be to imitate what Germany did after 1871, since she only evacuated the occupied French Departments stage by stage as France made payment. The truth is that the Treaty of Frankfurt fixed this scheme of evacuation at the same time as it delimited the occupied territory, *just as the Treaty of Versailles delimited the German territory which was to be occupied by the Allies (the left bank and the bridgeheads), stipulating that it should be evacuated stage by stage as Germany made payment.* A comparison could thus quite naturally be made between what was done in the case of the French territory occupied and what is due to be done in regard to the left bank of the Rhine. But this comparison cannot be extended to the Ruhr and the other territories occupied on the right bank, since the Treaty of Versailles contains no stipulation providing for this occupation, which is a step outside and in violation of the Treaty.

While the claim was thus being made to apply to the newly and illegally occupied territories the régime established by the Treaty for the territories occupied earlier and legally, all talk of the latter and of their ultimate evacuation ceased. It might have been said that the intention was to accustom opinion to the idea that there was no longer any question of an obligation to evacuate more than the newly occupied territories on the right bank.

In occupying the Ruhr the French Government had flouted the advice of the Reparation Commission, which had indicated another sanction. It had violated the Treaty of Versailles, giving to paragraph 18 of Annex II. to Part VIII. an interpretation in defiance of reason, justice, and common sense. But its action was to involve it further in

a violation of the Rhineland Agreement which governs the Interallied military occupation on the left bank of the Rhine.¹ This fresh violation was a further infringement of Germany's sovereignty in the Rhineland.

The Rhineland Agreement involves only a few restrictions of Germany's sovereignty in the Rhineland. The Interallied High Commission, which was to comprise four members representing Great Britain, Belgium, France, and the United States (the latter State did not appoint a representative), has the power to issue ordinances having the force of law, but only in the degree necessary to assure the maintenance, the security and the needs of the military forces of the Allied Powers. Except for this, the civil administration remains in the hands of the German authorities, in conformity with German laws and under the authority of the German Central Government. The German courts are to continue to exercise civil and criminal jurisdiction. Yet, following the "voluntary defaults" of Germany, the High Commission decided, with the abstention of the British delegate, to proceed in the occupied territories to the seizure of the coal tax, of certain Customs revenues, and of certain forestry revenues. Then, in order to carry out this operation, it detached from the central administration certain administrative departments in the occupied territory, and placed them under its own authority. This was a manœuvre tending, or leading, in violation of the Rhineland Agreement, to the relaxation of the bonds between the Rhineland and Germany. The spectacle was witnessed of German officials who desired to remain faithful to their Government and their country being dismissed, arrested, and exiled by the High Commission presided over and influenced by the French High Commissioner. It was a régime of arbitrary government and terrorization.

In other words—this must be insisted on—the Interallied High Commission, which virtually means France, tended

¹ Cmd. 222. June 28, 1919.

more and more to substitute its own sovereignty for German sovereignty, not only in the Rhineland but in all the occupied territories. Quite clearly the French Press was preparing opinion for this transformation. The *Temps* of February 4, 1923, reproduced a "Notice to the Population" which the High Commission had, it wrote, published "in the occupied territories placed under its authority." These territories could not, however, be "placed under its authority" except through a usurpation and in violation of the Rhineland Agreement. As a matter of fact, this "Notice to the Population" did involve such a usurpation and violation, since in it the High Commission demanded obedience to its "ordinances" and "orders."

A whole series of very grave measures which followed were to show clearly the precise character of this policy, tending to withdraw the occupied territories from German sovereignty and to isolate them from Germany. No doubt it was possible for M. Poincaré to claim that all these measures were simply sanctions imposed because of Germany's resistance to the policy which he had inaugurated with the invasion of the Ruhr, and that it entirely rested with Germany to save herself from them by abandoning her resistance. But, to return to the comparison made above, it was no more possible to expect Germany to accept this policy than it was possible in July 1914 to expect Serbia to accept the Austrian ultimatum.

The German Government, following what it regarded as a violation of the Treaty of Versailles, decided to suspend its reparation deliveries. On this, on January 26, 1923, the Reparation Commission decided to consider the German request for a moratorium as null and void, and proclaimed that Germany was in "general" default in regard to her obligations.

Thereafter the door was open for every sort of sanction.

On January 11, M. Poincaré delivered a speech in the

French Chamber in justification of the occupation of the Ruhr; the following passage, dealing with the famous paragraph 18, may be quoted :

There can be no possible doubt as to the interpretation of this text.

“In case of default by Germany in the performance of any obligation,” says paragraph 18, “the measures which the Allied and Associated Powers shall have the right to take, and which Germany agrees not to regard as acts of war, may include economic and financial prohibitions and reprisals and in general such other measures as the respective Governments may determine to be necessary in the circumstances.”

The expression “such other measures” is, you observe, as general, as comprehensive, as far-reaching as possible, and it is “the respective Governments” who have the right to judge and decide.

In the House of Commons Mr. Chamberlain gave in the name of the British Government a very clear and quite decisive explanation of this Article. He showed that in virtue of this passage Great Britain had the right to take isolated action; and she did in fact take isolated action in regard to German property in Great Britain.

We, gentlemen, have incontestably the right to invoke this precedent to-day. But even if no precedent existed the question would not bear the slightest serious discussion.

Our engineers are, therefore, to-day at Essen, and our troops are encamped around the town.

It will have been noted how astutely, not to say, disingenuously, M. Poincaré claimed the authority of Mr. Chamberlain's statement in the name of the British Government on October 28, 1920. He could not have put it differently if he had wished to create the impression that the British Government had taken a step comparable with his own. Yet, as has been seen, the step taken by the British Government was the renunciation of a sanction against Germany, while his own step was the application of a sanction, and a particularly grave one. Moreover, he omitted to mention that according to the British Government the phrase “such other measures” could refer only

to economic prohibitions and reprisals, as Mr. Chamberlain said on May 24, 1922.

It will also be noted that M. Poincaré had improved on his declaration of June 1, 1922, when he said that the phrase "such other measures" was "as general as possible." On January 11, 1923, the phrase had become "as general, as comprehensive, as far-reaching as possible."

In his speech of November 16, 1923, in the Chamber, he was to go yet another step forward, and to say that the stipulations of paragraph 17 and 18 authorized "all the sanctions, all the measures, of whatever sort, that the respective Governments judged it necessary to adopt." In speaking so, M. Poincaré, without suspecting it, strengthened the argument which may be brought against his contention. For on his showing paragraph 18 would permit *anything whatever* to be done in *any part whatever* of Germany. It is impossible that the signatories of the Treaty can have intended so monstrous an absurdity. By reason of its very monstrosity M. Poincaré's contention is self-stultifying.

From the moment, however, when M. Poincaré adopted this contention, we may observe the use which he or his successors were able to make of it, with the precedents of the Ruhr and the Rhineland, and with the advantage of the declaration of Germany's "general" default. Germany was defenceless and could, in the name of paragraph 18 of Annex II. to Part VIII., be trodden under, ruined, and destroyed.

In any case it was not for M. Poincaré to interpret the intention of the phrase "such other measures." Paragraph 12 of Annex II. to Part VIII. lays down that the Reparation Commission shall have the right "to interpret its provisions." Paragraph 13 stipulates that questions of interpretation are among those for which unanimity is necessary. Thus it was for the Reparation Commission, deciding unanimously, to interpret this phrase. The same paragraph 13 lays down that in case of any doubt upon the question

whether a given case is one which requires a unanimous vote for its decision, recourse is to be had to "the arbitration of some impartial person," on whose nomination the Allied and Associated Governments are to agree, and whose decision they agree to accept. In proceeding as he did, M. Poincaré acted definitely in violation of the Treaty. In order to get away from the Treaty and at the same time to escape from the charge of having violated it, he had no choice but to feign as he did to believe that the phrase "such other measures" was so clear as to require no interpretation.¹

For the rest, M. Poincaré was soon to show that he did not even need this insidious paragraph or any opinion from the Reparation Commission to enable him to carry out in Germany his policy of military invasion. His method was very simple. A pretext for invasion had to be found outside the question of reparations, since the Commission was only qualified to give an opinion on that question. Acts were then committed of which the gravity has not been sufficiently exposed, since only their importance at the moment has been considered and not the precedents which they created and the principles which they established. When the German Government stopped the international trains from Paris to Bucarest and from Paris via Munich to Prague, the French Government saw in this a violation of Article 367 of the Treaty of Versailles. As a sanction it decided "to extend the Kehl bridgehead," by a military occupation of Appenweier and Offenburg. These were, no doubt, two localities of small importance. But it is easy to see where

¹ In his speech at Void on April 22, 1923, after speaking of the "general default" of which Germany had been found guilty, M. Poincaré said, "We were thus authorized by the Treaty itself to take whatever sanctions we judged necessary, without the Berlin Cabinet being able to regard them as hostile acts." This was an astute way of setting up confusion between "such other measures" and "sanctions," in order to make any "sanctions" appear justified, after having given to "such other measures" as general a character as possible.

this modest precedent could lead. Once this small step had been taken, there was nothing to prevent further steps from being taken later. Stage by stage the bridgeheads could have been "extended" indefinitely. So much for the practical side of the question. Now for its juridical aspect. Nothing in the Treaty authorizes the "extension" of the bridgeheads, the area of which is strictly defined. Thus, in invading German territory outside the Kehl bridgehead, the French Government set up this principle—that if one of two States between which a treaty of peace exists determines, on its own authority, that the other is violating a stipulation of the treaty, it may, without any declaration of war or even any prior conversations, proceed to a military invasion of its territory. In international law this is simply an enormity, and this enormity the French Government committed in "extending" the Kehl bridgehead.

It went further along the path of arbitrary illegality by proceeding to the military occupation of the ports of Mannheim and Karlsruhe by way of reprisals for what it took to be an intentional obstruction of the Rhine-Herne canal. It was no longer even a question of the violation of a clause of the Treaty. The French Government thus set up this principle—that if a State considers that a neighbouring State is annoying it by allowing some such act to be committed in its territory as the obstruction of a canal, it has the right to proceed to a military invasion of its neighbour's territory, without any declaration of war or even prior conversations. In international law this is an enormity even more outrageous than the other, and this enormity the French Government committed.

Another act which it committed was yet more outrageous, since it was impossible for France to charge against Germany any violation of the Treaty or even any misdemeanour. She proceeded to the military invasion of the territories on the right bank of the Rhine between the bridgeheads of Cologne and Coblenz and between those of Coblenz and Mainz.

Why? Simply because this was more convenient for the working of the railway along the right bank of the Rhine! Be it noted that nothing in the Treaty gave the slightest authority for taking the working of this line out of Germany's hands. The practical purpose of this proceeding lay in the policy of occupying both banks of the Rhine and robbing Germany of the railways in the occupied territories; it could, moreover, as a precedent and a first step, lead even farther than the "extension" of the bridgeheads. From the juridical point of view the French Government was setting up this principle—that a State, even without being able to set forth grievances against another State, may invade the latter's territory, without any declaration of war or even prior conversations, if this happens to suit its political convenience. This, in international law, is an enormity much more outrageous even than the preceding one, and this enormity the French Government committed in proceeding to the military occupation of the territory between the bridgeheads.

It should be repeated that for these acts the French Government was unable even to take advantage of the phrase "such other measures" on which it relied in invading the Ruhr. It could not dream of doing so, since this phrase refers only to reparations, and since it presupposes an opinion expressed by the Commission.

From this point it was no longer possible to have any doubt of the character of the policy which this Government was determined to pursue in regard to Germany—a policy of faithlessness and lawlessness, absolutely arbitrary, absolutely unrestrained in its violence.

In his Note of August 11, 1923, Lord Curzon, on the strength of "the highest legal authorities in Great Britain," contended that the occupation of the Ruhr was not a sanction authorized by the Treaty. He made the very rational proposal that the question should be submitted to the Hague International Court of Justice, or to any other suitable

arbitration. The proposal was a rational one because an arbitral tribunal offers many more guarantees of impartiality than can be offered by any Government or even its legal advisers.

In this Note Lord Curzon proceeded also to a refutation of the charge of inconsistency brought against the British Government. Here he was less successful. He recognized that on two earlier occasions the British Government had associated itself with the other Allied Governments in threatening Germany with an occupation of the Ruhr, and even that in 1920 it had taken part in the occupation of Düsseldorf, Duisburg, and Ruhrort. He was not prepared, however, to see in these measures sanctions authorized by the reparation clauses of the Treaty. What then was the authority for them? As we saw above, M. Briand recognized that the occupation of these three towns, on which he himself had embarked, was not authorized by the Treaty. He claimed, however, that it was authorized by international law—a juridical heresy. Lord Curzon was careful not to formulate this heresy. But the result was that he implicitly recognized that Great Britain had associated herself with arbitrary and illegal sanctions. As for the threat to occupy the Ruhr, Great Britain, according to Lord Curzon, formulated it as she might have threatened Germany with a renewal of war. To recommence the war, or to threaten to do so, would have been in no way illegal. But to occupy the Ruhr without declaring war would have been an illegal act, since it was neither authorized by the Treaty nor by existing international law. To threaten Germany with this, while Great Britain was at peace with her, was equivalent to threatening illegal action.

Whether Great Britain did at any moment really intend to participate in an occupation of the Ruhr—an operation subsequently recognized as illegal by her highest legal authorities—or whether she saw in this threat nothing more than bluff, there was nothing in her action which could

authorize M. Poincaré to commit the illegality which he did commit. One man's fault does not justify another's. Still less does one man's threat to commit a wrong action exonerate another who actually commits it.

Certain interesting details must be mentioned in regard to this Poincaré-Curzon controversy. M. Poincaré tried to show that the Reparation Commission had virtually invited him to occupy the Ruhr, or had at all events recognized in advance the legality of the occupation. On June 11, 1923, the French Ambassador in London had declared to Lord Curzon that it was useless to discuss the question of legality, "since the Reparation Commission, which was alone qualified to give an opinion, had recognized the legality of our action." As we saw above, this was absolutely untrue. The Commission had stated that Germany was voluntarily in default, but had made reference to a sanction which it had previously suggested, and which was not the occupation of the Ruhr. M. Poincaré, in his reply to Lord Curzon's Note, was less decided than his Ambassador in London. Or at all events, with his usual astuteness, he found means of telling the truth and at the same time distorting it. "We occupied the Ruhr Basin," he said, "because the Reparation Commission, in certifying Germany's defaults, expressly conferred on us the right to act." This is perfectly true. But the "right to act" meant to take "such other measures" and not to occupy the Ruhr. Later M. Poincaré said that the French Government only acted independently of Great Britain "after an express deliberation of the Reparation Commission." This also is perfectly true; but this "express deliberation" did not envisage the occupation of the Ruhr.

A little later, speaking in public, M. Poincaré was able to dilute the truth more openly than in his diplomatic Note to Lord Curzon. In his speech at Bois-le-Prêtre on September 23 he said, "We are very glad that before seizing pledges we waited until we were indisputably authorized by the decisions of the competent Commission." This was

untrue. The "decisions" of the Reparation Commission had never "authorized" that action.

Thus the head of the French Government, after making the Treaty say things that it did not say, attributed to the Reparation Commission decisions which it did not take. He based his claim that the occupation of the Ruhr was justified on this double distortion of the truth.

As was to be expected, M. Poincaré rejected Lord Curzon's suggestion to submit to the Hague Court the question whether the Treaty authorized the occupation of the Ruhr. This refusal proved that he was not sure that he was in the right but was determined to make force prevail over right. Otherwise, he could only have seen advantages in getting his contention confirmed by the high authority of the Hague Court.

What happened after the German Government abandoned passive resistance on September 24, 1923, shows clearly the nature of M. Poincaré's policy in the Ruhr. He had declared that he would not negotiate with Germany in regard to reparations so long as her resistance lasted. It would seem, therefore, that, if only to show his good faith, he should have shown readiness to negotiate the moment resistance was abandoned. Instead, he began to seek for subtleties with which to contest the reality of the abandonment. He went to still more serious lengths. The German Government asked that a Commission should be set up with French, Belgian, and German delegates to negotiate concerning questions relating to the resumption of work. M. Poincaré rejected this request. He replied to it that agreements would only be arranged on the spot between the occupation authorities and the inhabitants of the occupied territory, thus clearly manifesting his intention of continuing to withdraw the Ruhr from German sovereignty. He showed his intention still more clearly by continuing the measures which he had adopted to suppress that sovereignty. Of these

measures the gravest had been the institution of a Franco-Belgian Railway Régie, not only in the Ruhr but also in the Rhineland. The abandonment of Germany's resistance was not followed by the return of the railways to the German Government.

V

THE THREAT TO THE RHINE

In order to understand better what was in preparation, it is necessary to bear in mind the claims put forward in France during the war, and especially those which were made by the French negotiators at the Peace Conference. During the war politicians and political writers had advanced on their own responsibility claims which were openly directed towards the dismemberment of Germany. The responsible Governments later made these claims the basis of their programme, and attempted to carry them through the Conference. When this failed in face of the opposition of Allied Governments, they seemed to have the intention of taking them up again and realizing them by indirect means.

It was France's deliberate intention to detach the left bank of the Rhine from Germany and make it an autonomous State. Before the Pact of November 5, 1918, there was nothing illicit in such a design; the most that could be contended was that it was ill-judged. But to hold to this intention after the Pact was to violate the Pact and to break faith. Moreover, the arbitrary creation of an independent Rhenish State, without consulting the population affected, and in spite of full knowledge that they were opposed to separation from Germany, constituted a violation of the right of peoples to dispose of themselves. In other words, it was a violation of several Points in Mr. Wilson's programme, and thus of the Pact of November 5, 1918, which embodied these Points. It was a violation of the Pact not only at the expense of the Rhenish populations, whom it was proposed to separate from Germany against their will,

but also of Germany, from whom it was proposed to take the left bank of the Rhine.

Yet the representatives of France at the Peace Conference, M. Clemenceau at their head, were very insistent in endeavouring to secure the adoption of this solution, which they knew to be contrary to the engagements entered into. M. André Tardieu, one of the French negotiators, explained in the French Chamber on September 2, 1919, in the name of the Government, what had happened. In a memorandum of February 25, 1919, the French Government had asked the Allied and Associated Governments to insert in the clauses of the preliminaries of peace the three following principles: (1) Germany's western frontier should be fixed at the Rhine; (2) The Rhine bridgeheads should be occupied by an Interallied force; (3) These measures should not entail the annexation of territory to the profit of any Power.

By M. Tardieu's own admission, the French Government recognized that the solution which it proposed violated the right of peoples to dispose of themselves, that is to say, one of the essential points in the Pact of November 5, 1918. It is the more surprising to find him adding:

Nevertheless, the Government disregarded these objections. At that moment, given the political, military and juridical conditions, a geographical guarantee was necessary.

In the *Temps* of September 13, 1921, M. Tardieu mentioned, in the course of a controversy with M. Poincaré, that on March 12, 1919, he submitted to the Allied Powers in the name of the French Government the following proposals: that Germany should renounce all sovereignty over and all Customs union with the left bank of the Rhine; and that the territories on the left bank should be constituted one or several independent States under the protection of the League of Nations. Thus, the French plan was completely to separate the Rhineland from Germany, and this in flagrant violation of the Pact of November 5, 1918.

What was the reason, or, rather, the pretext for this project? M. Tardieu formulated it as follows in *La Paix*:

The independence of the Rhineland is the sole effective guarantee that this region shall become a barrier and a buffer between Germany and the western democracies. For its autonomy within the Reich would have placed it in precisely the same situation as Bavaria, whom her theoretical liberties did not prevent either in 1870 or in 1914 from participating in the aggression against France.

Despite his efforts the French delegation at the Peace Conference failed to secure the adoption of his solution by the Allied and Associated Governments. Great Britain and the United States opposed it energetically. In *La Paix* (p. 191), M. Tardieu reproduced the arguments which Mr. Kerr brought against it:

Through the mouth of his principal collaborator, it was the British Prime Minister, invisible but present, who spoke—with some reserve at the first meeting, but more uncompromisingly at the second one. Is it possible, objected my opponent, to occupy a German territory peopled, including the bridgeheads, by seven millions of Germans? Is it possible to separate these Germans from Germany, without consulting them, and thus to depart from the principles for which the Allies fought? The French tradition? But years have passed, and the argument from history has been too much abused in employment by the Germans against France for France to be able to think of employing it against them. Moreover, in her official declarations, governmental or parliamentary (December 30, 1916; January 10, June 5 and 6, 1917; November 4, 1918), France made no such demand. Thus there could be no question of participating in such an occupation, and only the liveliest regret if France decided to embark on it alone; and Mr. Kerr summed up his objections as follows: "In a word, we are in agreement with France as to the end to be attained. We are not in agreement with her as to the method."

At first Great Britain and the United States were opposed even to a temporary occupation of the left bank of the Rhine, as a guarantee of the execution of the Treaty. As,

however, the French delegation protested that France would be in a dangerous situation, the following solution was eventually reached: in return for France's abandonment of her project of creating a Rhenish buffer State, Great Britain and the United States promised her, in treaties, to come to her assistance in the event of unprovoked aggression on Germany's part; and the Allied and Associated Powers also consented to the temporary occupation of the left bank of the Rhine, as determined in Part XIV. of the Treaty of Versailles.

It was necessary to recall this in order to show the difference between the temporary occupation of the left bank of the Rhine under the Treaty of Versailles and that of part of the territory of France in 1871 under the Treaty of Frankfurt. It was in the nature of things that France, having been prevented by main force from realizing her project, should try to carry it into execution at a later date, if necessary in a disguised form.

There were, indeed, even before January, 1923, unmistakable signs that the project had simply been put off and would be returned to in another form. Arguments were already being advanced to justify the prolongation of the occupation of the Rhineland.

The first argument lay in the contention that the periods of occupation had not yet begun to count, since Germany had not yet exactly fulfilled the conditions of the Treaty. This contention is inadmissible in view of the very clear wording of Article 428, quoted in full above. As we saw, this Article provides for an Allied occupation "for a period of fifteen years from the coming into force of the present Treaty." The Treaty came into force on January 10, 1920, and there can be no possible doubt that the period of fifteen years begins on that date. One would search in vain for a single word in the Treaty which can take from this Article its binding and imperative character. This is, no doubt,

the reason why France failed to get her point of view adopted by the Allies. In the *Temps* of September 15, 1921, M. Poincaré admitted this in the following words:

I, too, have certainly contended that, owing to Germany's failure to carry out essential clauses of the Treaty of Versailles, the periods of occupation have not yet begun to run. . . .

But so far as I am aware, we have as yet not secured official acceptance of our view either by the United States or Great Britain, and I have several times pointed out the danger of this lack of formal agreement. Germany, indeed, has not ceased to protest against the interpretation given by the Government of the Republic.

When he wrote this in the *Temps* M. Poincaré was a plain senator. When he became Prime Minister he took the same line in his ministerial declaration, read in Parliament on January 18, 1922:

Important as this subject may be for the future of France, it must not make us forget the other clauses of the Treaty of Versailles, such as disarmament and the punishment of the guilty. So long as these are not executed, we shall not only be entitled to maintain in full the sanctions which have been taken and if necessary to take fresh ones, but we shall be authorized to declare that the periods for the evacuation of the left bank of the Rhine have not yet begun to run. This is the contention which the French Government has constantly advanced. It is more important than ever to hold to it.

It will be observed that M. Poincaré was progressing. It was no longer because of the non-payment of reparations that the French Government might be authorized to declare that the occupation periods had not yet begun to run; it was also because of the non-punishment of war criminals and of Germany's alleged shortcomings in regard to disarmament. As, however, it will always be possible for a French Government to regard those guilty as inadequately punished and disarmament as incomplete, it will always be possible for it to postpone the date of commencement of the

occupation period. Moreover, it will be observed that M. Poincaré was speaking of the continuation of sanctions which had been taken in violation of the Treaty, and of taking fresh ones, which would also be violations of the Treaty.

The reception of M. Poincaré's declaration by the British Press showed him that his contention was decidedly not approved by France's Allies.

The second argument for the prolongation and possible perpetuation of the occupation of the left bank had reference to the British-French and Franco-American Treaties of Guarantee.

The two treaties under which Great Britain and the United States promised France military aid in the event of unprovoked aggression by Germany, were signed at Versailles at the same time as the Peace Treaty. In order, however, for them to become effective they required ratification by Great Britain and the United States; and it was also necessary that in applying them at any time these two Powers should come simultaneously to France's assistance. While, however, Great Britain had ratified her treaty, it was already doubtful at the time of the discussion of the Treaty of Versailles in the French Chamber whether the United States would follow suit. Consequently the question arose in the course of this discussion how France could make good the British-American guarantee if that were to fail through the abstention of the United States. A surprising discovery was then made.

Article 428 of the Treaty of Versailles stipulates that the left bank of the Rhine, together with the bridgeheads on the right bank, shall be occupied for fifteen years. Article 429 provides that if Germany faithfully carries out the conditions of the Treaty the northern zone, that of Cologne, shall be evacuated at the expiration of five years, and the intermediate zone, that of Coblenz, at the expiration of ten years, while the southern zone, that of Mainz, will be evacu-

ated at the expiration of fifteen years. Article 429 ends with the following paragraph :

If at that date the guarantees against unprovoked aggression by Germany are not considered sufficient by the Allied and Associated Governments, the evacuation of occupying troops may be delayed to the extent regarded as necessary for the purpose of obtaining the required guarantees.

At first sight, in any clear and honest view, this stipulation must refer to Germany's failure to observe those clauses of the Treaty which constitute a guarantee against unprovoked aggression on her part. It might then seem natural that recourse should be had to a sanction consisting of a prolongation of the occupation. This is certainly how Germany understood this stipulation. The surprising thing that was learnt in the course of the discussion of the Treaty in the French Chamber was that this stipulation had in view the failure of Great Britain and the United States to ratify the treaties promising France assistance from these Powers. At the sitting of September 24, 1919, M. Clemenceau made the following declaration :

If the treaties are not voted, they will not be, and that will end the matter. But there is an Article, of which I myself secured the adoption, which says that in this case we shall make fresh arrangements as regards the Rhine; consequently, we are covered in this matter and everything has been provided for.

The situation was beginning to grow clear.

In *Illustration* of March 27, 1920, M. Tardieu wrote as follows :

On the evening of April 29, President Wilson and M. Clemenceau, in agreement with Mr. Lloyd George, settled the definitive text which became the last paragraph of Article 429. Look again at this text and you will understand.

At the end of fifteen years, on January 10, 1935, the Allied and Associated Governments will have, under the terms of this final paragraph, to decide

whether the guarantees against unprovoked aggression by Germany are sufficient or not. What are the guarantees in question? Those provided at Versailles on June 28, 1919, the Treaty with Germany and the British and American Treaties—that is to say, in a distant and indefinite future, the League of Nations; during an earlier period, the occupation, completed by the two treaties. In what event might these guarantees be regarded in 1935 as insufficient? Manifestly, in the event of the two treaties having failed to operate; precisely, that is, in the existing situation. What was to happen in this event? Evacuation might “be delayed to the extent regarded as necessary for the purpose of obtaining the required guarantees.”

In other words, if in fifteen years’ time, in the absence of ratification of the British and American Treaties, France has no other pledge of security than the occupation of the left bank of the Rhine and the bridgeheads, this occupation may be prolonged until other guarantees come into existence, that is to say, until either the two treaties signed on June 28 or equivalent agreements are in force.

M. Tardieu said, “Look again at this text and you will understand.” But understanding came with the reading not of the text but of M. Tardieu’s commentary, taken in connexion with M. Clemenceau’s statement to the Chamber. Thus in the event, now certain, “of the two treaties having failed to operate,” the occupation was to be prolonged beyond the stipulated fifteen years. And from this extended occupation to the creation of an autonomous Rhineland State would be only a single and an easy step.

One essentially unjustifiable element in this situation should be noted: it would not have depended on Germany for the condition to be fulfilled which would save her from a violation of the Pact of November 5, 1918, which might result in the practical loss to her of one of her richest territories, with a population of some seven millions.

When the Presidential Election of November 2, 1920, in the United States had made it virtually certain that the American Treaty of Guarantee would not be ratified, M.

André Tardieu made the following declaration in the *Petit Journal* of November 10 :

As you know, after a long debate lasting six weeks, M. Clemenceau secured a fifteen years' occupation, with the right to prolong it beyond fifteen years if the other military guarantees failed. That is what has now happened. Under Article 429 of the Treaty, as the British and American military agreements have not come into force, the occupation of the Rhine will be prolonged beyond fifteen years.

It was thus established that Germany might be exposed to a hostile act on the part of her ex-enemies, and especially of France.

This question, important both to the future of Franco-German relations and to France's good name before history, was later the subject, in the *Temps* of September 12, 13, 15, 16, 18, and 22, 1921, of an interesting controversy between M. Tardieu, who was one of the French negotiators of the Treaty of Versailles, and M. Poincaré, who was President of the Republic at the time when the Treaty was under negotiation. M. Poincaré showed very justly that M. Tardieu's contention was inadmissible. But it is strange and painful to observe that the moral side of the question, the point of honour, entirely escaped his attention. He did not concern himself with the correctness and straightforwardness of the victors, and of France in particular, in their dealings with the vanquished. He was in agreement with M. Tardieu as to the desirability of what M. Tardieu considered France had the right to do under the Treaty of Versailles, and merely contended that France's Allies had not invested her with this right, and that resort must be had to them later; to all appearance he was quite unconcerned as to securing Germany's consent.

In his first article, on September 12, M. Poincaré disclosed a very important fact. The first proposal had been

to insert in the Treaty of Versailles a clause in the following terms :

The period of fifteen years (fixed for the duration of the occupation) shall begin to run from the date of the putting into force of agreements between the United States, Great Britain, and France, by way of guarantee against unprovoked aggression on Germany's part.

If this clause had been inserted in the Treaty there could have been no question of any breach of faith with Germany. She would have been given to understand that agreements were being negotiated between the three Powers, and that if these agreements failed to materialize the evacuation would not take place. In signing the Treaty she would have known the risk to which she was exposing herself. But she was left in entire ignorance both of the negotiation of the agreements and of the consequences which it was intended should be entailed for her in the event of their falling through. It would thus have been no less unjust on the part of the negotiators to have entertained this idea in the background, than to propose to act on M. Tardieu's theory at a future date. That would have been to introduce a fresh "secret document" into the Versailles case.

M. Poincaré, who throughout the negotiations had pressed, against the opposition of Mr. Lloyd George and Mr. Wilson, for the occupation of the left bank until Germany had fulfilled every provision of the Treaty, including full payment of reparations, ended his first article in the *Temps* as follows :

Have we not from now onwards some right to claim that France's consent to the reduction of the duration of the occupation has been rendered null and void, and to claim fresh guarantees ?

In his reply to M. Poincaré, on September 13, M. Tardieu tried to support his contention by a line of argument of which the sophistical character leapt to the eye. He claimed

to base France's right to a permanent occupation of the left bank on the last paragraph of Article 429 of the Treaty :

If at that date the guarantees against unprovoked aggression by Germany are not considered sufficient by the Allied and Associated Governments, the evacuation of the occupying troops may be delayed to the extent regarded as necessary for the purpose of obtaining the required guarantees.

M. Tardieu thought fit to interpret this text as follows :

What are the guarantees referred to here? They are the two treaties, as their text proves. If these guarantees are regarded at the end of fifteen years as insufficient, the occupation may be prolonged. All the more, then, may it be if, as is actually the case, these guarantees do not exist. No treaties of guarantee, no obligatory evacuation in 1935.

In his second article, on September 15, M. Poincaré dealt in a masterly way with the sophism by which M. Tardieu based France's right to a prolonged occupation of the left bank on the last paragraph of Article 429. After reproducing the text of the paragraph, M. Poincaré argued as follows :

And M. Tardieu says, "What are the guarantees referred to here? They are the two treaties."

Alas! How can so clear a mind as that of M. Tardieu fall into what, according to Bossuet, is the worst of mental aberrations, the illusion that things are as you would have them?

If the text which he quotes had the sense which he claims, why should the very clear formula which he had prepared, and which M. Clemenceau had shown me, have been set aside and replaced by an obscure phrase? As I understand him, M. Tardieu is trying to take advantage of this very obscurity to give the phrase a meaning which I regret that I cannot find in it. Unfortunately, for every unbiassed reader it is only too certain that the guarantees in question in this passage are guarantees to be obtained from Germany, and not from our Allies. . . .

In the impossible event of Germany having fulfilled all her engagements towards us in fifteen years' time, I confess that I do not see how we could say to her, "Excuse us—we are stopping on the Rhine, because the United States and Great Britain have not ratified

Mr. Wilson's and Mr. Lloyd George's promises." Germany would reply to us, "Article 431 forbids you to make this claim." If we then pointed to the last paragraph of Article 429, Germany would reply, "No, no, Article 429 can have no reference to an Interallied pact of assistance of which we have no knowledge, which has never been inserted in or appended to the Treaty of Versailles, and which for us is a *res inter alios acta*, a transaction between third parties. Let us, with your kind consent, hear no more of this."

M. Tardieu is too shrewd and too sagacious not to be as sure as I am that Germany would speak in these terms. Is it not, then, more prudent not to proclaim that the Treaty of Versailles gives us sufficient sureties on this point? Is it not better to try to obtain those which we lack?

In his second reply to M. Poincaré, on September 16, M. Tardieu brought to the support of his contention a fact which, if substantiated, would imply a very grave charge against Mr. Wilson. The last paragraph of Article 429, which every impartial judge must, like M. Poincaré, apply to the guarantees to be furnished by Germany, was, M. Tardieu claimed, merely a modification of the very clear formula which it was at first proposed to introduce into the Treaty, and which made the evacuation of the left bank depend expressly on the treaties of guarantee. Mr. Wilson, he contended, replaced this very clear formula by something obscure and enigmatic because he feared that the very clear formula would be made use of in the American Senate by his opponents to prevent the ratification of the military guarantee treaty, to which he was strongly attached. Had Mr. Wilson really done this, he would have committed a dishonourable action. He would have laid a snare for the American Senate, in order to make it enter into engagements as to the importance of which he would have deceived it. He would have laid a snare for France, by proposing to give her guarantees so formulated that any intelligent and honest interpretation of their text must reduce them to nothing. He would have laid a snare for those of the Allied Powers whose representatives were not present at the inner council

at which this trap was prepared, and who must remain ignorant of the exact scope of an important clause of the Treaty which they were to be made to sign. Finally, he would have laid a snare for Germany, by making her accept sanctions of which the true scope would have been kept from her by means of a discreditable subterfuge. Had Mr. Wilson really been guilty of laying this quadruple snare, the Allied negotiators who, understanding his manœuvre, had joined in it would have been accomplices in it.

In any case, even if M. Tardieu's revelation were accepted as true and Mr. Wilson's quadruple snare as a reality, no one could possibly hold valid a clause introduced into the Treaty of Versailles by such methods. This clause would be rendered null and void by the very fact of its immorality. It would have no contractual value either between the Allies or between them and Germany.

We saw above that in a speech on November 4, 1923, M. Poincaré recognized that the Treaty of Versailles did not authorize the continuance of the occupation until after the full payment of reparations, and yet declared that the occupation would be continued until then, which amounted to saying that France would violate the Treaty. We have just seen that M. Poincaré recognized, and even proved brilliantly, that the Treaty did not give France the right of indefinite occupation in connexion with the question of security, despite the non-ratification of the pacts of guarantee. Yet, in his speech at Neuilly on November 18, 1923, he said :

We are resolved not to evacuate the territories occupied under the Treaty until all the clauses signed at Versailles are completely executed and we are provided with solid defences against fresh possibilities of aggression. We do not wish the sacrifice of our dead to remain in vain. The blood which they shed cries out for justice. Justice shall be rendered to them. We will not leave their work unfinished.

This amounted to saying that France would take that right of indefinite occupation which, as he had himself demonstrated, the Treaty did not give her. This again amounted, therefore, to saying that France would violate the Treaty.

The British Prime Minister, Mr. Ramsay MacDonald, was, therefore, justified by M. Poincaré's attitude in saying to him in his letter of February 21, 1924 :

It is widely felt in England that, contrary to the provisions of the Treaty of Versailles, France is endeavouring to create a situation which gains for it what it failed to get during the Allied peace negotiations. The view of this section of my countrymen is that that policy can only perpetuate the uncertainty and dangers of a condition not of peace but of war, and that in the end it will destroy whatever temporary security France may gain.

This "widespread feeling" of which Mr. MacDonald spoke existed not only in Great Britain but also in the rest of the world. It was more than a feeling; it was a conviction, to which the French Prime Minister was to give fresh reinforcement.

In his reply to Mr. Ramsay MacDonald on February 25, 1924, M. Poincaré went yet a step further than in his speech of November 18. He said in regard to the Ruhr :

We occupied the Ruhr in order to induce Germany to meet her debt to us and to overcome the stubborn resistance of the German industrial magnates. This means of pressure will, as we have announced, cease on the day on which Germany frees herself.

"Frees herself" apparently meant "has paid the whole of her debt." But what followed was still graver. In regard to the Rhineland M. Poincaré said :

Moreover, the occupation of the Rhineland will come to an end when the conditions imposed by the Treaty have been fulfilled and our security is guaranteed.

All, then, that was to be needed for the occupation of the Rhineland to be indefinitely prolonged was for M. Poincaré

or his successors to find the guarantees of security that could be offered them insufficient. Thus this argument of "security," first advanced on October 21, 1921, by M. Briand, and without any justification in the Treaty, was invoked more and more definitely and insistently in favour of a policy to conflict with the Treaty.

The full significance will now be better understood of the events of January 1923 and of the crisis which they heralded. The occupation of the Ruhr, amid conditions which virtually made of it a disguised seizure of territory, and all that aggregate of measures tending to withdraw both the Ruhr and the Rhineland from German sovereignty, and to separate them in actual practice from Germany—what could all this mean but the return to the plan at first abandoned, and even its extension, since the Ruhr was now added to the Rhineland?

If France's rulers had not had the very definite intention of detaching the Rhineland from Germany, it would be impossible to explain the policy which they inaugurated. This policy consisted from the first in withdrawing the Rhineland from the political and moral influence of the Reich, in denationalizing it, and even in substituting French for German administration. Outwardly it was the Interallied High Commission which pursued this policy; in reality it was the Paris Government, through the intermediary of its High Commissioner, who was the president of the Interallied High Commission.

When the first French High Commissioner, M. Tirard, entered upon his duties, he sounded at once the note of the policy which he intended to follow, by making declarations which were more like those of a colonial governor taking over his colony than those of an official proceeding to the momentary occupation of a territory belonging, and destined to continue to belong, to a foreign Power. Very characteristic propagandist actions followed, succeeded by measures aimed not at the extension of French cultural

influence in the Rhineland, which might be regarded as permissible, but at restricting, not to say suppressing, the sovereignty of the Reich. The means, or rather the pretext of this was a piece of hypocrisy which from time to time became ridiculous.

Article 143 of the new German Constitution lays down that education shall be given "tending towards the reconciliation of peoples." This comic spectacle was accordingly witnessed: the Interallied High Commission (which virtually means the French High Commissioner) claimed to be taking the place of the Government of the Reich in order to secure respect for the spirit of the German Constitution in this German province of Rhineland! The real aim was to rob the German education given in the Rhineland of the national character which would maintain the cohesion between this territory and the rest of Germany. There was actually set up an "Inspecting Commission for Rhenish Schools," which took the place of the German authority.

Much graver still was the claim of the High Commission (which virtually means the French High Commissioner) to set limits to the percentage of officials, especially teachers, who were natives of unoccupied Germany.

An integral part of this policy was the special favour accorded by the French occupying authorities to the separatist agitation, which, as we saw, was able to lift its head very soon in the Rhineland, under the leadership of Dr. Dorten. It is, indeed, not enough to say that the French occupying authorities showed favour to this agitation; it may confidently be stated that they inspired it.

M. Smeets was the editor of the *Rheinische Republik*, an openly separatist paper, which, in any country of which the Government had not been rendered impotent by a foreign occupation, would have been prosecuted for offences against the security of the State. This paper and its editor were protected by the French High Commissioner who inspired the High Commission. When M. Smeets came into conflict

with German justice and was imprisoned, the spectacle was witnessed of the High Commission demanding his liberation. Yet more—M. Smeets was found guilty of insulting German officials in the occupied provinces, but the High Commission decided that the sentence on him should not be put into execution. This amounted to a denial of German sovereignty in the Rhineland.

When, in October, 1923, the separatist movement began in earnest, it became evident that there was nothing spontaneous about it, and that it did not respond to any popular aspiration; it was, however, manifestly being favoured and supported by the French occupying authorities. They took its part in many ways, and notably in hampering the action of the German police in their efforts to defend the authority of the Reich against the "Republicans." Their pretext was the necessity of maintaining order and preventing the spilling of blood. One characteristic fact showed what spontaneity could be credited to the movement: there was hardly the slightest sign of it in the British zone of occupation.

What has been said here in regard to Rhenish Prussia applies even more strongly to the Palatinate. The separatist movement was equally artificial there, and received yet more support from the French occupying authorities. This was manifest even before the inquiry which was made on the spot by Mr. Clive, the British Consul-general at Munich. Mr. Clive's report simply confirmed that the alleged separatists did not represent the population, and would have been impotent without the support of the occupying authorities.

vi

A FURTHER DEFORMATION OF THE TREATY

At this stage attention should be drawn to a circumstance which substantially worsens Germany's position, a circumstance in which one might be tempted to find no element of violation of the Treaty from a juridical point of view, but

which morally and politically has decidedly this character. This is the fact that the United States have not ratified the Treaty, that they accordingly take no part in its application, either as a member of the League of Nations, which is frequently called upon to intervene, or as one of the Allied and Associated Powers, which also are empowered to intervene, or as a member of the Reparation Commission, which plays a capital part, or as a member of the Interallied High Commission for the occupied Rhenish territory, whose decisions, as we have just seen, may be decidedly far-reaching.

When Germany signed the Treaty of Versailles, no one could foresee that the United States, who signed it at the same time, would fail to ratify it. It was to be supposed that the United States would play the part assigned to them in the application of the Treaty. In view of the situation of the United States as a non-European Power and one without any definite adversary in Europe, their influence in the matter of the application of the Treaty would have had a moderating and impartial character, which could not be expected of European Powers which remained more or less rivals or even enemies of Germany.

In the House of Commons on May 31, 1922, Mr. Lloyd George spoke of the question of reparations, which was a burning topic at the moment. He made the following admissions, of which the importance is not to be overlooked :

There is no doubt at all that there is one fact which has upset the balance of the Reparation Commission. It is a fact which has upset the balance of the League of Nations, and that is the absence of America. When that Treaty was signed, it was assumed that the United States of America would be represented on the Reparation Commission and on the League of Nations. That was a very important element. The United States of America was the only country which had no claims in respect of reparations. There was no adjudication which would affect her interests, and therefore she was strictly impartial. She was friendly to France, Italy, Great Britain, and the countries which had claims in respect of compensation, but she was also a

country with a great international trade, and therefore concerned in seeing that reparations should not be driven to extremes, which would upset the balance of trade throughout the world.

That was an element that we relied upon to secure a fair and impartial adjudication. The United States, having signed the Treaty, has not ratified it, and that very vital element is absent from the composition of this judicial body, which has to adjudicate upon all the facts. That is a very important matter. The same thing applies to the League of Nations, and one day I shall have to say something about that, but I do not want to have a discussion upon circumstances outside the purview of the matter which has been raised by my right hon. friend. But there is no doubt that the absence of America from the machinery of the Treaty of Versailles has disturbed its equipoise, has made the machine less effective, made it work with less precision, I will not say with more injustice, but it has created an amount of friction which I am sure would not have existed if the United States had been present at the deliberations either of the League of Nations or the Reparation Commission.

In this passage Mr. Lloyd George defined very accurately one of the vices of the Treaty of Versailles. Speaking in Parliament, he was bound to express his view with some reserve, and it may well be supposed that, in saying that he did not want to say that the machine was working "with more injustice" owing to the absence of the United States, he was not giving full and unvarnished expression to his actual view. It may well be supposed that what he did not want to say he nevertheless did think, since he began by saying that the presence of the United States had been relied upon to secure a "fair and impartial" adjudication. Where there is neither fairness nor impartiality there cannot be justice.

Subsequently, when he was no longer in power and could express himself with more freedom, Mr. Lloyd George showed things in their true colour. He spoke outright of a "violation" of the Treaty in his article of January 13, 1923, published by the *Daily Telegraph* and the *Daily Chronicle*.

The absence of the United States thus changed the nature of the application of the Treaty, to Germany's prejudice. And so long as it continues it will change it. One has only to read the Treaty to realize how many and how important are the questions in the adjudication of which the United States would have been able to intervene as an impartial and moderating element, playing a sort of arbitral rôle, as a member either of the League of Nations, the Reparation Commission, or one of the Allied and Associated Powers.

CHAPTER VI

“THE GREATEST CRIME IN HISTORY”?

i

THE TESTIMONY OF MR. KEYNES

A GENERAL judgment of the Peace now becomes possible. It was shown in the preceding chapter that the clauses of this peace, hard as they are for the vanquished, are liable to be aggravated by the arbitrary manner in which the victors may choose to interpret them.

After drawing up my own demonstration of the way in which the peace settlement violated the engagements resulting from the Pact of November 5, 1918, I opened Mr. Keynes' book, *The Economic Consequences of the Peace*. The reading of it affected me in two ways. As an author I felt reassured; for what I had said had been said by another before me. But as a citizen of one of the Entente countries it could be no satisfaction to me to find my view of the injustice of the Peace of 1919 confirmed.

On the other hand, I had not merely repeated Mr. Keynes. Our books, it seemed to me, were complementary, Mr. Keynes dealing mainly with the economic side of the Peace, and I with the political side. I cannot, therefore, too strongly recommend those who take the trouble to read this book to complete it by reading that of Mr. Keynes.

I shall accordingly speak of his book only from one special point of view—that of the promises made to the conquered peoples and their violation, rendering the Peace an unjust peace.¹

On page 34 Mr. Keynes says :

¹ The italics in the quotations from Mr. Keynes' book are mine.

In November, 1918, the armies of Foch and the words of Wilson had brought us sudden escape from what was swallowing up all we cared for. The conditions seemed favourable beyond any expectation. The victory was so complete that fear need play no part in the settlement. *The enemy had laid down his arms in reliance on a solemn compact as to the general character of the Peace*, the terms of which seemed to assure a settlement of justice and magnanimity and a fair hope for the restoration of the broken current of life. To make assurance certain the President was coming himself to set the seal on his work.

On page 51 we find the following statements defining the contract which bound the victors in their dealings with the vanquished :

Two rival schemes for the future policy of the world took the field—the Fourteen Points of the President, and the Carthaginian Peace of M. Clemenceau. Yet only one of these was entitled to take the field; *for the enemy had not surrendered unconditionally, but on agreed terms as to the general character of the Peace.*

This aspect of what happened cannot, unfortunately, be passed over with a word, for in the minds of many Englishmen at least it has been a subject of very great misapprehension. Many persons believe that the Armistice Terms constituted the first Contract concluded between the Allied and Associated Powers and the German Government, and that we entered the Conference with our hands free, except so far as these Armistice Terms might bind us. *This was not the case.* To make the position plain it is necessary briefly to review the history of the negotiations which began with the German Note of October 5, 1918, and concluded with President Wilson's Note of November 5, 1918.

After giving the history of the negotiations, Mr. Keynes arrives at the following conclusion, on page 55 :

The nature of the Contract between Germany and the Allies resulting from this exchange of documents is plain and unequivocal. *The terms of the Peace are to be in accordance with the addresses of the President, and the purpose of the Peace Conference is “to discuss*

the details of their application." The circumstances of the Contract were of an unusually solemn and binding character; for one of the conditions of it was that Germany should agree to *Armistice Terms which were to be such as would leave her helpless*. Germany having rendered herself helpless in reliance on the Contract, *the honour¹ of the Allies was peculiarly involved in fulfilling their part* and, if there were ambiguities, in not using their position 'to take advantage of them.

After recalling the fact that yet other conditions than the Fourteen Points bound the Allies, Mr. Keynes sums up the whole of the conditions, and then concludes, on page 58 :

This wise and magnanimous programme for the world had passed, on November 5, 1918, beyond the region of idealism and aspiration, *and had become part of a solemn contract to which all the Great Powers of the world had put their signature*. But it was lost, nevertheless, in the morass of Paris—*the spirit of it altogether, the letter in parts ignored and in other parts distorted*.

Later on Mr. Keynes does, so far as reparations are concerned, from the economic point of view what I have done from the more specially political point of view. He analyzes the clauses of the Peace, and has no trouble in showing that they are in contradiction with the engagements entered into.

After thus setting out the facts, Mr. Keynes declares that the Allies committed "a breach of engagements and of international morality comparable with Germany's own offence in the invasion of Belgium," and that we have thus witnessed the spectacle of "a war ostensibly waged in defence of the sanctity of international engagements ending in a definite breach of one of the most sacred possible of such engagements on the part of the victorious champions of these ideals."

¹ I wish to draw attention to this word "honour." In Mr. Keynes' view also, the observance of the pact which had disarmed Germany was an obligation of honour. It follows that the failure to observe it was a breach of honour.

MR. LLOYD GEORGE'S SUMMARY

On July 3, 1919, Mr. Lloyd George presented the Treaty of Versailles to the House of Commons and made a long speech in explanation of it. Before going into details, he sketched the following summary of the “terrible” conditions imposed on Germany:

What will they mean to Germany? Let us look at it quite frankly. In 1914 you had an Empire which possessed the greatest army in the world, the greatest probably the world had ever seen. It had taken nearly two centuries to perfect. It was a perfect and a powerful striking machine. It was the terror of the world. You had only to visit France, or any other country, to realize how the world trembled—it is no exaggeration—trembled at the tramp of this mighty machine. It rendered the word of Germany potent. It has now been reduced to the size of a force quite adequate to maintain the peace in Germany, but not equal to disturb the peace of the feeblest of her neighbours, not even Czechoslovakia. There was a navy the second in the world. I heard, not so many years ago, grave debates in this House which gave the impression that this navy might successfully challenge the greatest navy in the world, and enable that terrible army to invade a land which had not been invaded for hundreds of years. Where is it now? The colonies of Germany covered about one and a half million square miles. She has been stripped of them. Territories of the size of, say, Scotland and Wales have been torn from her side. They ought never to have been there. They are never going back, and their population now forms an integral portion of other lands. Her mercantile marine is almost shattered. The ruler who spoke for her pride and her majesty and her might for thirty years is now a fugitive soon to be placed on his trial before a tribunal in behalf of the lands which he sought to devastate. The terms are terrible. Then there is the war debt. I am not minimizing the terms, and anyone who will exercise his imagination and realize what it means has only to apply the terms to Great Britain. There is no doubt that they are severe. Are they just? Let us take those which have been challenged, separately.

So Mr. Lloyd George summed up the "terrible" conditions of the Treaty of Versailles. In view of what has been said in the foregoing pages, it may be claimed that of these conditions the only one justified by the Pact of November 5, 1918, was this: "Territories of the size of, say, Scotland and Wales have been torn from her side." Disarmament on land and sea was not justified by the Pact, because it was one-sided. Neither the loss of the colonies nor that of the mercantile marine found the slightest support in the Pact. The prosecution of William II. was not justified. Nor was the war indemnity, since it far exceeded what had been envisaged by the Pact. Is it even correct to say that one condition in Mr. Lloyd George's summary was justified by the Pact? Not even that is correct. In virtue of the right of self-determination, the Pact involved the return of Austria to Germany, which would have been a compensation to Germany for the loss of the territories "of the size of Scotland and Wales" which had been taken away from her. It may therefore be said that not one of the "terrible" conditions enumerated by Mr. Lloyd George in his summary was justified by the Pact.

iii

SIGNATURE THROUGH STARVATION

It might have been supposed that after the signature of the Armistice the Entente would give up starving its conquered foes. There was all the more reason to expect this since this weapon, which had contributed so largely towards the victory, was illegal. Yet nothing of the sort happened; the populations of Central Europe continued after the Armistice, as before it, to be starved by their conquerors.

Under date of March 10, 1919, the International Committee of the Red Cross addressed from Geneva to the Peace Conference in Paris a memorandum signed by its interim president, M. Edouard Naville, drawing its attention to the distress of these populations. This document, published by

the *Journal de Genève* of March 15, contained the following passages :

For four months there has been an Armistice, the guns and rifles have been silent, the massacre of thousands of human beings has been arrested, but peace has not yet been concluded and its beneficent action has not yet made itself felt. To-day, what sounds in our ears is no longer the groans of the wounded, but a cry which comes to us from all parts of Eastern Europe, the cry of hunger. "Bread!" is the unceasing cry of these peoples. From Germany, Austria, Hungary, Bohemia, Serbia, Roumania, Bulgaria, from everywhere they are turning to us, begging us to bring help, or, if we cannot do it ourselves, to induce those who can not to remain insensible to their great sufferings.

Descriptions come to us of whole populations starving, emaciated, debilitated, incapacitated for work, prostrated by the most trivial ailment; of young children deprived almost entirely of milk, the proper food for their age, and dying off in thousands.

This moving appeal went unheard.

The Entente had conquered the Central Empires largely by means of the illegal weapon of starvation. It had then disarmed them on the promise of definite conditions of peace. Yet it had not done with the illegal weapon of starvation. It relied on it to make the Central Empires accept conditions of peace infinitely harsher than those on the promise of which they had laid down their arms.

iv

THE "FORCED CAPITULATION" OF THE CENTRAL
EMPIRES

Nothing could justify the failure of the Entente to keep its word. If this failure is established, the matter should need no further discussion. Nevertheless, it will not be unprofitable to examine into the value of certain arguments put forward on behalf of the Allies to give an appearance of legitimacy to their action.

One excuse made for the failure to keep the engagements

entered into is that the Germans and their Allies were on the verge of complete collapse, and that they would thus have been obliged in any case to submit to the conditions laid down by their conquerors, however hard.

One consideration at once arises. If the Entente was so sure of early and complete victory, it should have prosecuted hostilities until this victory was achieved, leaving Germany crushed and at the mercy of her conquerors. This should have been done for reasons of honour and for practical reasons. For reasons of honour, for if the Entente entered into engagements and violated them, it exposed itself to the charge of breach of honour. For practical reasons, for it would thus have made its victory uncontested and incontestable.

Why did the Entente not do this? Why did it renounce the defeat of the Germans on their own soil? When the facts are examined sincerely and objectively, the conviction asserts itself that the reason is that the Entente was not so sure of crushing the enemy as has since been made out.

The principal document for the study of this question is the German White Book published at the end of July, 1919, which gives an account of the exchange of views and the correspondence between the German Government and High Command on the military situation in general and on the expediency of negotiating for peace.

Up to the date of the Crown Council held at Spa on August 14, 1918, the High Command had affirmed its confidence in ultimate victory, as a consequence of the grand offensive which had begun in the spring. But on August 14, at Spa, it admitted that there was no longer any possibility of winning the war by military means, and that the time had come for recourse to diplomacy and for getting into contact with the Entente with a view to peace. William II. shared this opinion. But the possibility of a defeat was not yet admitted; it was agreed that the opportune moment for bringing diplomacy on to the scene would be "after the coming successes" which were still anticipated.

Thus opened a critical phase which was to end with the Armistice of November 11, 1918, and during which the soldiers and the politicians were to differ considerably in their attitude. At first it was the military authorities who showed the greater inclination to enter into negotiations with the Entente, while the politicians hesitated. Subsequently the position was reversed; when it became evident that the Entente wanted to transform the Armistice into an absolute capitulation on the part of Germany, Hindenburg and Ludendorff wanted to continue resistance, while the politicians were for concluding peace. As will be seen, the difference of attitude can be explained.

After the collapse of Bulgaria an important decision was taken, on September 29, at the Grand Headquarters at Spa, the High Command and the Government being in agreement. The Secretary of State for Foreign Affairs, Herr von Hintze, who was present, telegraphed to the Foreign Ministry and gave it instructions, by order of the Emperor and with the agreement of the Chancellor, to inform Vienna and Constantinople that Germany proposed to offer peace to President Wilson on the basis of the Fourteen Points, and to invite him to summon a conference at Washington with a view to peace. Thus, it is important to note, the first serious manifestation from the German Government in the direction of peace contemplated no other peace than that of the Fourteen Points.

October 1 seems to have been a particularly disquieting day. On that day the High Command showed itself so pessimistic about the military situation that it was claimed later on that Ludendorff had lost his head for a moment. He himself recognized soon afterwards that he had overestimated the gravity of the situation. By then, however, his mistake had already had consequences.

On October 1, Ludendorff had given orders that the Foreign Ministry should be urged to send an offer of peace to Washington at once. Baron von Lersner telegraphed from

Spa: "To-day the troops are holding; it is impossible to say what will happen to-morrow." A second telegram, sent by Councillor of Legation von Grünau, ran: "To-day the troops are holding and we are in a respectable position. But a collapse may come at any moment, and then our offer of peace would arrive at the worst possible time." It must be noted that even at this moment of Ludendorff's deepest anxiety he suggested no more than that the situation *might* become desperate; he did not look upon it as already desperate, since his message to Berlin ran: "We are in a respectable position" (*in einer würdigen Lage*).

On October 2, Ludendorff had the draft of an offer of peace to be sent to Mr. Wilson telephoned to Berlin. The following clause in it should be noted: "It [the German Government] declares its willingness that the points of the programme laid down by the President of the United States of America in his message to Congress on January 8, 1918, and in his subsequent declarations, shall serve as a basis for the conditions of peace." Ludendorff made it clear to the Foreign Ministry that the High Command was of opinion that there could be no question of anything but the Fourteen Points, plus the Four Points, of Mr. Wilson's programme. Thus Ludendorff, even at the moment of what has been called his "panic," contemplated no other than a Wilsonian peace, and it was for the conclusion of a Wilsonian peace that he proposed an armistice. It is therefore incorrect to represent him as thinking that all was lost, so that any peace whatever must be accepted.

Moreover, from a careful perusal of Ludendorff's correspondence one gains an impression which M. André Tardieu has expressed as follows in the article published by *Illustration* on November 6, 1920:

Here we have, perhaps, his root idea—to negotiate in order to gain a breathing-space, and, if need be, to break off negotiations after recovering. What German Headquarters really wanted at that time was a sus-

pension of hostilities rather than a definitive peace. . . . If the Allies fell in with that, Germany was saved for the time. She would be able to bring up her supplies to the rear and regroup her units. While the mixed commission was meeting and the evacuation was under discussion, she would have time to remake an army for herself.

This hypothesis, which may well have been correct, is incompatible with the theory that the High Command was pressing for the opening of negotiations because it thought the situation desperate. Its intention must, on the contrary, have been to profit by the negotiations in order to re-establish itself.

This hypothesis was again put forward by M. Tardieu in *La Paix* (p. 60).

The German Government was so far from considering the situation desperate that the new Chancellor of the Empire, Prince Max of Baden, who had just succeeded Count Hertling, hesitated to make a formal offer of peace. He was afraid that the Entente would look upon it as a confession of weakness.

October 3 was another important day. The Imperial Chancellor received a communication from Hindenburg urging that peace should be offered without delay, as the situation was growing worse owing to the collapse of the Macedonian front. Hindenburg added that there could no longer be any hope of “imposing peace terms on the enemy.” With regard to the condition of the German Army he wrote: “The German Army is still holding firm and is victoriously repelling all attacks. But the situation is daily growing worse and may force the High Command to decisions which may have the gravest results. In these circumstances it is advisable to stop the struggle, to save the German people and their Allies from useless sacrifices. Every day which passes costs the lives of thousands of brave soldiers.” This was an admission, not of defeat, but of the impossibility of victory, which is not the same thing.

On the same date—October 3—the Imperial Chancellor addressed to Hindenburg the following questionnaire :

1. For how long can the army still keep the enemy beyond the German frontier ?

2. Is the High Command compelled to expect a military collapse, and, if so, how soon ? Would the collapse mean the end of our capacity for military resistance ?

3. Is the military situation so critical that we must immediately take action with a view to an armistice and peace ?

4. In the case of an affirmative reply to question 3, does the High Command realize that action with a view to peace, taken under the pressure of the critical military situation, may result in the loss of German colonies and of German territories, particularly of Alsace-Lorraine, and of purely Polish districts in the eastern provinces ?

5. Does the High Command agree to the despatch of the enclosed draft note ?

Hindenburg replied to the questionnaire as follows :

1. The question cannot be answered as briefly as it is put. The maintenance of the front depends on a number of factors, among others on the vigour and the means with which the enemy prosecutes his attacks, and on the manner in which our capacity for resistance can in the long run sustain these. At the present moment the German Army is standing firm. If forced it will retire from sector to sector, clinging to the enemy soil. It is impossible to foresee before the event the exact duration of these retrograde movements. But it may be hoped that they will protect German territory until next spring.

2. The reply to this question is contained in that to question 1. I do not believe in a general collapse. The retreat and the shortening of the front in the face of enemy pressure will not necessarily have that result, so long as we can still dispose of fairly important reserves.

3. The reply to this question is given in my letter of October 3, 1918, to the Imperial Chancellor.

4. The High Command contemplates, if there is no alternative, the abandonment of small portions of Alsace-Lorraine where French is spoken. There can be no question, in its opinion, of ceding territories in the East.

5. Draft note was discussed ; none enclosed.

Thus the High Command did not consider the situation desperate, since it hoped to be able to hold on, outside the frontiers of Germany, until the spring of 1919.

On October 9 there was a discussion in Berlin between the High Command and the representatives of the Government. Colonel Heyl said that it might perhaps be possible to hold on until the spring, but that it was also possible that a change might take place any day. Ludendorff said that he did not think that the front could hold for another three months, but that if there was a respite in the struggle through an armistice Germany would afterwards be able to prosecute the war even after the defection of her Allies. From that day onward he expressed the opinion that Germany ought not to accept all the conditions of the armistice which it was sought to impose upon her.

After the arrival, on October 15, of Mr. Wilson's second Note, which foreshadowed very harsh armistice conditions, the High Command began to show opposition to their acceptance. On October 16 it proposed the creation of a new front with a view to a supreme effort at resistance. On the 17th Ludendorff showed himself more optimistic than three weeks previously, and came out once more in opposition to the acceptance of an armistice.

Was this attitude of the German High Command in the matter of an armistice too unyielding? Did it proceed from a misconception of the military situation of the Germans and of their enemies? In his article M. Tardieu makes statements with regard to the way in which the Armistice of November 11 had been prepared, which do not permit of an affirmative reply to these two questions. It appears that the High Command of the Entente judged it to be imprudent to impose too severe armistice conditions upon Germany, and that Marshal Foch and General Pétain doubted whether she would accept those which it had been decided to present to her.

On October 25, at a council which Foch had convened at

Headquarters at Senlis, Marshal Haig, General Pétain, and General Pershing gave their opinions.

Marshal Sir Douglas Haig (says M. Tardieu) spoke first; in his opinion an armistice should be concluded, and on very moderate conditions. The victorious armies of the Allies were out of breath. The units needed reconstitution. Germany was not broken in a military sense. During the last few weeks her armies had retired fighting very bravely and in excellent order. . . . If, therefore, the conclusion of an armistice was really desired--and it was desirable--terms must be offered to Germany which she could accept; that is to say, the evacuation of the invaded territories of France and Belgium, and also of Alsace and Lorraine, and the restitution of the rolling stock taken at the beginning of the war from the French and Belgians. To ask for more would be to risk prolonging the war, which had already cost so dear, and also exasperating German national feeling, and that for a doubtful result. For the evacuation of all the invaded territories and of Alsace-Lorraine is sufficient to consecrate the victory.

General Pétain spoke in favour of an armistice which should disarm Germany more completely and render her *hors de combat*. General Pershing concurred. On October 26, Foch informed M. Clemenceau of his final conclusions.

Colonel House, Mr. Lloyd George, and M. Clemenceau wanted still severer clauses, and requested Foch, on October 29, to reply to the question whether that would be likely to prolong the war and by how much. Foch replied :

I am not in a position, and no one is in a position, to give you an accurate forecast. It may last three months, perhaps four or five months. Who can say? However, if I cannot fix a date, I can reply on the fundamental issue. And as to that, I say this: "The conditions which your military advisers have fixed are the same as those which we ought to impose and could impose after the success of our approaching operations. If, therefore, the Germans accept them, it is useless to continue the fight."

Subsequently, when the admirals were discussing the naval clauses of the Armistice, Mr. Lloyd George himself

cautioned them against exaggerated demands which might prolong the war. He said:¹

We must ask ourselves whether we want to make peace at once or to continue the war for a year. It may be very tempting to take a certain number of ships. But that is not the main issue. At present each of our armies is losing more men in a week than at any time during the first four years of war. We must not lose sight of that.

It should be noted that Foch expected a prolongation of the war of possibly five months. Mr. Lloyd George spoke of as much as a year.

On January 20, 1920, M. Clemenceau, on taking leave of the Supreme Council of the Allies, which he was attending for the last time, delivered a speech in the course of which he said:

The outstanding event in the world was the unexpectedness, the immensity of this war, which suddenly came to an end at a moment when we thought that we should require another effort of several months' duration, and we came here a little disconcerted at times by the gravity of the problems to be considered and by the difficulty of settling them.

Thus no one on the Allies' side considered the situation of the Germans so critical as to compel them to capitulate there and then.

Was disaster expected to come to them from the offensive which General de Castelnau was supposed to be preparing in Lorraine, to take them in the rear and capture nearly all their army? If this had been so, how explain the fact that there was no mention of this thunderbolt in the course of the discussions which preceded the Armistice, and that the talk was then of a further five or twelve months of war? Why did not this imminent thunderbolt prove an incentive to offer the Germans armistice conditions of any degree of severity, without troubling about what might happen? As

¹ *The Truth about the Treaty*, by André Tardieu, p. 69. (Hodder and Stoughton, 1921.)

regards this, a significant statement was published in the Paris *Excelsior* of July 20, 1920, and the Philadelphia *Public Ledger* of the same date. Colonel House had asked M. Mantoux, who had taken part, as an interpreter, in the labours of the Peace Conference, to give him his opinion as to the view that the Peace was premature and that the war ought to have been continued for another sixty days, when Germany would have been completely crushed. M. Mantoux, in a letter published in these two papers, replied to Colonel House with a summary of the labours of the Conference, which included this statement: "He [Foch] made no allusion at any time to a possible final stroke in the following few days." Was the Commander-in-Chief ignorant of the formidable offensive which Castelnau was preparing in Lorraine?

It is a fact that this offensive was in course of preparation. But it is probable that Foch, as a prudent and cautious leader, was averse to counting his chickens before they were hatched, or reckoning on the success of operations, however well prepared.

It has been asserted that Ludendorff was aware of the formidable danger which was threatening him from the direction of Lorraine, and that this was the reason why he called for peace negotiations to be instituted. As to this the following opinion, expressed by General Mallerterre in the *Temps* of November 11, 1920, may be quoted:

The second hypothesis, that Ludendorff finally collapsed in face of the certain disaster which would follow upon the Lorraine manœuvre, seems to us to be refuted by himself in his memoirs. . . .

He refers in his concluding pages to the fact that something was in preparation in Lorraine, but he does not appear to attach any importance to it. The whole of October was for him nothing but a debate between his pride as the Prussian commander, the ruin of his illusions, and the infatuation of the German Government.

To sum up, the military situation of Germany was sufficiently critical to determine her to lay down her arms if promised the Wilsonian terms; but it was not sufficiently so to force her to surrender at discretion and to accept in advance whatever terms might be dictated to her. This explains why the politicians, relying on the word of the Entente, were in favour of laying down arms if promised the Wilsonian terms.

Does the resistance of Hindenburg and Ludendorff prove that they were wrong? It proves simply—for these military leaders could not give such advice lightly—that Germany was still capable of continuing the struggle.

As already mentioned, the intransigence of the soldiers may have been largely inspired by considerations of *amour propre*, for a capitulation would certainly be more or less humiliating for them. But this military *amour propre*, natural and praiseworthy in soldiers, could not determine the point of view of the politicians. For them, if a reasonable peace could be obtained at the price of a capitulation—and they had the formal promise of the Entente to this effect—the question of *amour propre* must take second place. Thus the difference of view between the soldiers and the politicians is perfectly explicable.

It is thus impossible to excuse the violation of the Pact of November 5, 1918, on the ground that Germany would in any case have been obliged to accept the conditions which were imposed on her by means of that violation.

V

PRECEDENTS AND COMPARISONS, 1808—1871—BREST-LITOVSK—BUCAREST

The attempt has also been made on the Entente side to defend the peace of 1919, or the Armistice which prepared the way for it, on the strength of certain historical precedents or of the action of the Central Empires during the world war.

An objective study of the facts shows that these arguments are not justified.

The Entente, it has been said, simply treated the Central Empires as Napoleon treated Prussia in 1808. Why complain of what was regarded as natural in Napoleon's case? The comparison fails for two reasons. It is true that Napoleon, after Jena, disarmed Prussia in much the same way as the Entente disarmed the Central Empires. He only left her an army of 42,000 men. But between 1808 and 1919 there were two enormous differences. Jena represented a victory over Prussia much more complete than that gained by the Entente in 1918, and might therefore justify more considerable claims on the part of the victor. The main difference, however, is of another order. After Jena, Napoleon did not induce Prussia to lay down her arms, and to allow herself to be rendered *hors de combat* by promising her a peace infinitely less onerous than he ultimately imposed on her. That is a thing which one may be sure Napoleon would not have done. He would not have cared so to stain either France's fame or his own.

A comparison between what happened in 1871 and in 1918-1919, instead of justifying the Entente, as has been claimed, only makes its action appear yet more unjustifiable.

The Franco-German armistice of January 28, 1871, far from rendering France *hors de combat*, as that of November 11, 1918, did Germany, left the situation virtually as it stood at the moment of the cessation of hostilities, and this although Germany was then victor over France in a way in which the Entente was not over Germany in 1918 (since she occupied a large section of French territory, while the Entente had not yet touched German territory), and although this circumstance would have permitted her to impose severer armistice terms. If Germany had afterwards wanted to impose unacceptable conditions of peace, France would have been able to resume hostilities, without being in any

way weakened by the armistice, far from being placed *hors de combat*, as Mr. Wilson wanted to place Germany in November, 1918.

The Versailles peace preliminaries of February 26, 1871, were not aggravated except in points of detail by the Treaty of Frankfurt of May 8, 1871, while of the Pact of November 5, 1918, on the faith of which Germany resigned herself to the Armistice of November 11, the Treaty of Versailles left virtually nothing remaining.

Even if the Treaty of Frankfurt had modified the preliminaries of Versailles in any important respect, nothing would have obliged France to submit to it, since she had not been rendered incapable of resuming hostilities.

The argument drawn from Brest-Litovsk in justification of Versailles is still more unconvincing. The Central Empires are often said to have promised Russia a peace without annexations or indemnities, and then “imposed” on her the peace of Brest-Litovsk, which included both. Were that the case, they would have set the example of breaking a pledged word, and would have had no right to complain if the Entente followed suit. The statement that they did so is, however, false.

On November 28, 1917, a Russian wireless message announced “to all” that the Soviet Government was ready to enter upon negotiations with a view to peace. On the same day “Cease fire” was ordered on the whole Russian front. In broadcasting “to all,” the Soviet Government offered peace not only to the Central Empires and their Allies, but also to the Entente Powers. This is a fact of capital importance.

The armistice between Russia and the Quadruple Alliance (Germany, Austria-Hungary, Bulgaria, Turkey) was signed on December 13, 1917. It applied to all fronts, and maintained the *status quo*. It was in no degree comparable with the Armistice of November 11, 1918, since it did not render

Russia *hors de combat* and incapable of resuming hostilities. If the belligerents had not agreed on the conditions of peace, Russia could have recommenced the war, just as France could have done in 1871.

Even if in the course of the Brest-Litovsk negotiations the Quadruple Alliance had profoundly modified an agreed peace programme, this would not have been a breach of honour, since it had not disarmed its adversary beforehand on the promise of such a programme. But is it true that it so modified an agreed programme, particularly as regards annexations and indemnities? It is not.

The negotiations at Brest-Litovsk opened on December 22, 1917. The Russian delegates proposed the following six points as a basis of peace :

1. No territory taken during the present war may be annexed by force, and the troops occupying such territories must be withdrawn at once.

2. Peoples who have lost their independence during this war shall have it completely restored to them.

3. The national groups who were not in enjoyment of such independence shall decide themselves, by means of the referendum, the question of their political independence or the State to which they desire to belong. This referendum is to be based upon a completely free vote of the whole population, including *émigrés* and refugees.

4. In territories inhabited by several nationalities, the rights of the minority shall be protected by special laws, assuring to these nationalities their national autonomy, and, if political conditions permit, their administrative autonomy.

5. No belligerent shall pay an indemnity to any other, and those already paid in the form of war expenses shall be reimbursed. Compensation shall be provided for private victims of the war through a special fund created by proportional contributions from all the belligerents.

6. Colonial questions shall be decided under the conditions of Articles 1, 2, 3, and 4. But the Russian delegation proposes to complete these by a clause recognizing as inadmissible any restriction, direct or indirect, on the liberty of weak nations by stronger nations, such as economic boycott, or the economic

submission of one country to another, whether by a dictated treaty of commerce, or by separate Customs agreements which hamper the liberty of trade of a third country, or by non-military naval blockade.

At the sitting of December 25 the representatives of the Quadruple Alliance made their reply known. They accepted the Russian proposals in their entirety, particularly as regards annexations and indemnities, but subject to certain reservations. They declared (this should be noted) that Germany's colonies must be restored to her. But their acceptance of the Russian proposals was to depend on one essential condition—that “all” the belligerents to whom Russia had suggested the conclusion of peace should accept her proposals. It was therefore decided to suspend negotiations in order to give the Entente Powers time to reply to the Russian invitation.

The Entente Powers took no notice of Russia's proposal. The Quadruple Alliance was thus released from its acceptance. Herr von Kühlmann, the head of the German delegation, explained this in the following words at the sitting of January 9, 1918 (*Temps*, January 12):

The communication by the Allied Governments¹ on December 25 shows that the first essential provision made therein was the unanimous acceptance by all enemy Powers of stipulations that were to be equally binding on all nations, and the non-acceptance of this provision and the lapse of the period would have the consequences indicated in the communication. This document, therefore, became null and void.

The first task of our conference would be to resume negotiations at the point where they were before the Christmas adjournment.

At the next day's sitting, M. Trotzky, in the name of the Russian delegation, made the following declaration:

In the first place, we confirm the fact that, in full conformity with the decision arrived at, we wish to continue the peace negotiations quite independently

¹ That is, the Quadruple Alliance.

of whether the Entente Powers associate themselves therewith or not. We note the declarations of the delegations of the Central Powers that the bases of a general peace, which had been formulated in their declarations of December 25, 1917, have now become void, since the Entente Powers have not, during an interval of ten days, joined in the peace negotiations. We for our part hold to the bases of a democratic peace proclaimed by us.

Thus the Russians held to their proposals, but they recognized that, in consequence of the attitude of the Entente, the Central Powers were no longer in any way bound. Under these conditions, how is it possible honestly to accuse the Central Powers of having failed at Brest-Litovsk to keep their engagements as the Entente subsequently failed to keep its own? The truth is that the negotiations started afresh, after the Entente's refusal, with both parties entirely free of all engagements.

A comparison, on the other hand, of the stipulations of the Treaty of Brest-Litovsk with those of the Treaty of Versailles shows the former to be more moderate.

The Treaty of Brest-Litovsk may thus have been a political mistake and an abuse of victory. But in no sense was it a breach of honour. It contained no violation of engagements entered into; it set no trap to obtain the acceptance of the consequences of such violation.

What applies to the Treaty of Brest-Litovsk applies still more to the Treaty of Bucarest, concluded on May 7, 1918. For in the matter of territory Roumania lost much less than Russia. To Austria-Hungary she ceded, by way more or less of rectification of frontier, a territory of about 600 square kilometres; she also renounced the Dobrudja. On the other hand, there had been no violation on the part of the Quadruple Alliance of engagements entered into. This Treaty, again, may have been a political mistake and an abuse of victory, but was not a breach of honour.

vi

“CRIME” AND PUNISHMENT

Among the justifications put forward for the Peace of 1919, the one which might be described as official, since it was the one claimed by the Peace Conference, was that the Germans and their allies had committed “the greatest crime in history” and therefore deserved an unprecedented punishment. To judge from the hypocritical language of the various memoranda and documents, one might imagine that the Entente imposed exorbitant conditions on its enemies, not in order to profit thereby, not even to obtain reparation for damage suffered, but in the noble and disinterested endeavour to punish Evil, that Justice might be satisfied.

Even if it were admitted that the Germans and their allies had been guilty of “the greatest crime in history,” a single fact would at once demolish the Entente’s case: this “crime” was known in the autumn of 1918, at the moment when the Pact of November 5, 1918, was concluded between the Entente and Germany, and the similar pacts were concluded with Germany’s allies. That was the moment when the enemy should have been made acquainted—before they were disarmed—with the unprecedented punishment which was reserved for their “crime.” Instead of this they were disarmed under the pretence of imposing a peace which they regarded as acceptable.

Even if their “crime” had only been discovered after the conclusion of these pacts, the most elementary sense of honour should have forbidden the one-sided modification of the engagements entered into.

In any case, the theory of the “greatest crime in history”—so far as it applies to the Central Powers—breaks down under any impartial examination of the facts, as was shown in the first chapter of this book.

THE TERRIBLE WORD

The foregoing might be summed up by saying that the peace settlement, taken as a whole, represented a violation of the third Point in Appendix C, which dealt with the "consent of all nations to be governed in their conduct towards each other by the same principles of honour . . . to the end that all promises and covenants may be sacredly observed." In effect, the victorious nations had made to the vanquished nations "promises" which were equivalent to "covenants." Instead of "sacredly observing them," they outrageously violated them. Herein lies their breach of the "principles of honour."

Let us suppose that, in 1870, before Sedan, France, already feeling herself outmatched, had made overtures of peace to Germany. Let us suppose that an agreement in principle had then been concluded on the basis of what actually became the essential points of the Treaty of Frankfurt—the cession of Alsace-Lorraine, the payment of five milliards, the most-favoured nation clause, with the further understanding that France would be permitted to annex, with the consent of the population, a territory contiguous to her own, larger than and more French than Alsace-Lorraine, something which would have been relatively to France what German Austria is relatively to Germany. Let us then suppose that, this preliminary agreement having been concluded, Germany had imposed on France an armistice which rendered her *hors de combat*—that is to say, incapable of resuming hostilities—it being understood that the preliminary agreement concluded could no longer be questioned except as regards the "practical details of application." Let us suppose that, France having been thus bound hand and foot and placed at the mercy of Germany, Germany had imposed upon her the following peace: The

cession of Alsace-Lorraine, with a prohibition of the annexation of the territory which it had been understood she might annex by way of compensation; the payment of an indemnity of fifty or sixty milliards; the cession of all the French colonies, including Algeria; the cession of nearly all the French mercantile marine; the restriction of the French Army to 100,000 men, and the reduction of the fleet to practically nothing, whilst Germany herself and France's other neighbours, her potential enemies, remained armed, as in the past, on land and sea; the demilitarization of a portion of French territory as extensive as the German territory west of the Rhine; the occupation of this territory for fifteen years, with the threat of permanent occupation because, apart entirely from any question of France's goodwill, Germany had failed to conclude with other Powers a treaty of alliance such as she considered necessary for her ultimate defence against France, though she had disarmed France as indicated; the setting up in France of Control Commissions, which gave her the appearance of a conquered country. . . .

Let us not deceive ourselves: this is the sort of thing that was done in 1919 to Germany and her allies.

If Germany had done this in 1870, what would have been said about it? Everywhere, in France and abroad, and even among Germany's friends, a cry of horror would have gone up. There would have been but one word to describe this action, terrible but just—*felony*.

And if there had been any reason to believe that Germany, when making promises which later she did not keep, had had no intention of keeping them, another word as terrible and as just would have been used—*treachery*.

If Germany, to absolve herself, had said, “France would have been beaten in any case,” would this excuse have been accepted?

As passions calm down and the true character of this “greatest crime in history” grows clearer, it will be only

natural if in each of the countries of the Entente, which bear the collective responsibility for it, attempts are made to shift the blame for it.

In France it will perhaps be said that the people supported M. Clemenceau and the authors of the peace, since Parliament, the mandatory of the people and the interpreter of their will, approved the work by voting the treaties of peace. This reasoning will be futile, as I shall show. Here I touch on an important point, not only as regards the respective responsibilities of the French people and its rulers, but also as regards eventual revision.

The regular powers of the Chamber of Deputies had come to an end on May 31, 1918, and from that date it had itself prolonged them arbitrarily. Henceforward it was at the same time delegating and delegated; it was no longer delegated by the people but by itself. In other words, its powers were illegal. As for the Senate, which is renewed triennially a third at a time, it was in the same position as the Chamber as regards two-thirds of its membership, while the remaining third, whose legal powers were not yet at an end, was already sensibly reduced by deaths. Thus Parliament as a whole no longer had legal powers. Moreover, as the Government was but the mandatory of Parliament, its powers were tainted with the same illegality as those of Parliament.

Strangely enough, M. Clemenceau himself admitted the situation, at the sitting of the Chamber of Deputies on July 22, 1919, on the occasion of a discussion about the date of the elections. He said :

I hold that the present situation of this country cannot be prolonged any more. Our position is illegal.

You have extended your mandate, and you have done well, because you could do nothing else.

A Deputy asked : " And the senators ? " M. Clemenceau replied : " The situation in the Senate is exactly the same. Need I say it ? " Another Deputy objected that " there was

no illegality,” and M. Clemenceau then developed his argument as follows :

There is no public interest greater than this. In the present political situation of France it is necessary that all the electoral bodies shall be renewed with as little delay as possible.

It is necessary, in my opinion, that the elected bodies, alike in the Communes, the Departments, and the State assemblies, shall be renewed at the moment when the election of the President of the Republic takes place. We need municipal councils, departmental councils, which are within the law; we need a Chamber which is within the law; we need a Senate which is within the law.

When the election of the President of the Republic takes place in February, there should not be a single elector who does not ballot with full legal regularity. All powers will have been renewed, the war being finished on the field of battle, peace being signed, a peace, I know, which will be criticized, but rest assured, it will be defended—the peace producing effects which will last for years and years—for when a peace has been signed one has done nothing; one has tried to foresee the conditions in which this peace will evolve; but, as these have never been exactly foreseen, as it is not known what resistance will arise, as there are events which it is impossible to calculate, it is necessary that these new events shall be controlled, shall be manœuvred—if I may employ this word—by men chosen by the electoral will, by men who have soaked themselves in the peace. You had the right to arrogate to yourselves all powers, it was a question of the public safety; there is no Frenchman who has blamed you and no Frenchman will blame you, but on one condition—that as soon as possible you return to universal suffrage.

In asking that the public powers should in future be “within the law,” the head of the French Government recognized that they were “outside the law.” From the legal and constitutional point of view, what are we to say of this argument: that it was necessary to have legal public powers to elect the President of the Republic and to apply the peace, whilst the establishment of the peace, an act infinitely more important than the two former, could be

accomplished by illegal public powers? I say that it is strange that M. Clemenceau should have made these admissions to Parliament. For in making them he stamped with illegality all his work since May 31, 1918; he admitted that the Peace, his Peace, had been made by a Government "outside the law," the mandatory of a Parliament "outside the law," and that it had been sanctioned afterwards by this same Parliament "outside the law."

It is not, therefore, the French people that is responsible for the unjust peace. And this peace should appear to them all the less untouchable and all the more susceptible of revision since it has a more or less illegal character, owing to the circumstances in which it was elaborated and concluded.

CHAPTER VII

FROM POINCARÉ TO HERRIOT

i

THE DAWES PLAN

AFTER the French elections of May 11, 1924, the Poincaré Ministry resigned. M. Millerand, the President of the Republic, who had identified himself with the Ministry's policy, had to resign also. A Ministry of the Left, headed by M. Edouard Herriot, came into power. The new head of the Government, animated by a more conciliatory and a fairer spirit than M. Poincaré, undertook the solution of the question of reparations on the basis of the Dawes plan, already accepted in principle by his predecessor. On this basis was concluded the London Agreement, as a result of a conference which lasted from July 16 to August 16.

How far did the London Agreement modify the situation created by the Treaty of Versailles and by the policy of the Governments which had applied it?

The unclean and dangerous character of the Peace was due in general to the injustices contained in the Treaty, which had been based on the legend of the sole responsibility of Germany and her allies for the war, and drawn up in violation of the Pact of November 5, 1918. In more detail it was due to the reparation provisions of the Treaty (which were brought down to a definite figure in the Schedule of Payments of May 5, 1921); to the fact that the United States had not ratified the Treaty, and especially that they were not represented on the Reparation Commission; and to the violations of the Treaty, or of international law, committed in the application of the Treaty (notably by the occupation of Düsseldorf, Duisburg, and Ruhrort, and subsequently of

the Ruhr, and by the establishment in all the occupied territories of a régime which virtually suppressed German sovereignty there)—deliberate violations of the Treaty, or simply violations rendered possible by a distorted interpretation of certain of its clauses.

From the beginning M. Herriot, as head of the French Government, showed on various occasions his intention not to allow the Treaty to be modified. After the London Agreement had been concluded, he explained it to the Chamber, on August 22, in the following terms :

I have not touched the Treaty of Versailles. I said that if it were modified in one point it would be in danger of collapsing altogether. I occupied myself only with the question of reparations, with Part VIII. of the Treaty, and it was in this connexion that I said that to obtain money and goods we must arrive at economic arrangements, not political ones.

From the first, too, M. Herriot had declared that he would not allow the amount due to France to be reduced. It was with this idea that he began to study the Dawes plan, containing those "economic arrangements, not political ones," which were to determine the way in which Germany should furnish the "money and goods" expected from her. M. Herriot followed M. Poincaré in refusing to allow the number of annuities to be paid by Germany to be fixed. He thus maintained in principle the total of the amount due to France, leaving her still entitled to claim these annual payments until the whole of her claim had been recovered. Nevertheless, that did not exclude the possibility of Germany's debt being reduced, as appears from the following statement made in the Senate on August 26 by M. Poincaré :

When the experts met, we opposed the fixing of the number of annuities to be paid by Germany, in order to keep a margin for the settlement of Interallied debts. The experts gave way to us on this point. They refused to fix a definite figure, and they added

that if arrangements were come to regarding Inter-allied debts it would then be possible to re-examine the question of the number of annuities to be paid by Germany.

Thus Germany's debt could be reduced if her creditors—France in particular—obtained from their Allies, Great Britain and the United States, a reduction of their own debts. The shackles laid upon Germany by the Dawes plan were described as follows by M. Herriot in the Chamber on August 23.

Henceforward Germany will have her Bank controlled, her railways will be handed over to a company, her industries will have to deliver over a certain number of debentures, her indirect taxes will be established at fixed rates, and so on.

Thus it was a fairly heavy servitude which Germany accepted in accepting regulation by the Dawes plan of the manner in which she was to discharge her debt. Except for the possibility of getting her debt reduced, the London Agreement left the Treaty of Versailles as it stood, with all its injustices and with all the dangers which these injustices imply.

As already mentioned, one of the distortions of the Treaty most prejudicial to Germany resulted from the fact that the United States have not ratified it. In the Reparation Commission the absence of an American delegate left France with a preponderant vote, so that she could turn the scales in her own favour. On this point the London Agreement made Germany an important concession. When a default on her part is proposed to be reported, the Commission will co-opt, not an official representative of the United States, but an American citizen whose vote will have the same value as that of the official representative of each of the four other countries. If the Commission declares a default by a majority only, the minority may appeal against this decision before an arbitral commission. Thus, as regards the certifying of

defaults, Germany has been granted a real safeguard which she had not previously.

This does not, however, entirely remove the disadvantage at which Germany is placed by the absence of the United States in the settlement of the peace; it simply reduces it in one particular point.

As regards "sanctions," Germany has not obtained the same security as in the matter of the certifying of defaults, M. Herriot having held to the claim advanced by M. Poincaré that France has a right to take isolated action. In the Chamber on August 23 he explained as follows how this right would be exercised if the necessity arose :

This is what I maintain: We have secured the principle of collective action in the event of Germany failing to carry out the Dawes plan; if we get collective action we must not anticipate it by isolated action; but if collective action is not taken it is only just that France should have the right to resort to isolated action. Otherwise Germany would only need to be assured, if not of an accomplice, at least of weakness in one quarter, to escape the consequences of her defaults.

To understand the exact range of the right of isolated action which M. Herriot claimed for France, it should be noted that he did not repudiate the interpretation which M. Poincaré gave to the expression "such other measures," as we saw in the section dealing with the Ruhr.

Another important concession was granted to Germany in regard to the violations of international law, of the Treaty of Versailles, and of the Rhineland Agreement, committed first by M. Briand (occupation of Düsseldorf, Duisburg, and Ruhrort), and then by M. Poincaré. The military evacuation of the Ruhr was to take place within not more than a year "if the London Agreements, freely entered into for the carrying out of the experts' plan, were applied in the spirit of fairness and pacification which had inspired the deliberations of the Conference." The military evacuation of Dortmund, the territories between the bridgeheads, and the occupied

points in the State of Baden was to be ordered without delay. Moreover, Germany obtained the economic, fiscal, and administrative evacuation of the territories occupied contrary to the Treaty. Lastly, in the Rhineland districts occupied in conformity with the Treaty, the illegal state of affairs which M. Poincaré had established there, in violation of the Rhineland Convention, came to an end. In consequence the sentences or expulsions of which a large number of German subjects had been the victims came to an end.

Further, the Customs barrier between the occupied and unoccupied territories was suppressed, and the political, economic, fiscal, and administrative sovereignty of Germany re-established in a large and rich territory where it had virtually been abolished.

While, however, the London Agreement brought to an end these violations of the Treaty and of international law, M. Herriot did not admit their illegal character. In the letter which he sent, jointly with MM. Theunis and Hymans, on August 16 to the German Chancellor on the subject of the evacuation of the Ruhr, it was stated that "the French and Belgian Governments confirm their previous declarations, under the terms of which the occupation of the Ruhr was carried out by them in virtue of the Treaty of Versailles." In other words, the new French Premier accepted and made his own the interpretation which his predecessor had put upon the expression "such other measures."

An inevitable consequence of the position taken up by M. Herriot was that a divergence of opinion remained on this important point between the French and British Governments. This is clear from the letter sent to him on August 16 by Mr. MacDonald, in which it was stated that "the British Government has never recognized the legality of the occupation of the Ruhr, nor the interpretation of the clauses in the Treaty of Versailles upon which their Allies acted."

M. Herriot did not even recognize the illegality of the occupations to which M. Poincaré had proceeded without

being able to support himself by the Treaty and by the expression "such other measures," since reparations were not in question. For example, on the subject of Offenbourg and Appenweier, which had been occupied in a particularly illegal manner in consequence of the suppression of international trains, he explained their evacuation by saying that "the trains had been started again," and that "the military authorities had no objection to the occupied points being evacuated."

On another question of very great importance—that of the dates for the evacuation of the territories legally occupied, M. Herriot also adopted the theory of his predecessors. In the Senate on July 10 M. Poincaré had said :

The French Government has always declared, up to now, that the periods fixed for this occupation had not begun to run. The present Government has remained silent on this point, but I interpret its silence as assent.

M. Herriot replied in the Senate on the following day :

As regards the evacuation of the left bank of the Rhine, I take this first opportunity offered to me to confirm the declarations of previous Governments relative to the time of commencement of the periods of occupation.

ii

INCONSISTENCIES AND HALF-MEASURES

What judgment must be passed on the Governments which took part in the negotiations which resulted in the London Agreement ?

In regard to M. Herriot it is important to distinguish between what might logically have been expected of him and what it was politically possible for him to do.

After the French elections of May 11, 1924, which had given a majority to the Left, M. Herriot made the following declaration to the *Matin* :

Do you think that we have been wise in regarding Germany as a solid whole, in making no discrimination

between Germans, and in attributing to the country a cohesion which it did not possess after the war? Nothing dispenses us from having a considered policy in regard to a conquered country. The democratic elements, partly by our fault, are now stifled under a sinister wave of nationalism. We must strengthen them, for they are one of the best guarantees of peace.

To be exact, it was M. Poincaré's policy which caused the recrudescence of German nationalism. Logically, therefore, one might have expected from M. Herriot a complete repudiation of M. Poincaré's policy, covering both the question of right and the question of fact. That is why, when during the London negotiations he was seen to hesitate to make concessions, the *Ere Nouvelle* reminded him twice, on July 23 and 27, that the verdict of the French people had authorized them. But it was politically impossible for him to repudiate his predecessor's policy as completely as logic would have prescribed. He had to reckon with some resistance in his own party, mainly because it was still ill-informed on the question of the responsibility for the war and on the unjust character of the peace. He also had to reckon with the Senate, where he had not a majority as in the Chamber. On July 11, when the negotiations were about to open in London, the Senate had passed a vote of confidence in M. Herriot, but it included the following points: That the Reparation Commission must not be deprived of its powers, in whatever guise; that France, in case of a certified default on Germany's part, must retain the right to act, even in isolation; and that France must not give up the pledges she held in return for mere promises—which amounted to saying that she must not proceed to the military evacuation of the Ruhr.

However, of these three desiderata of the Senate, M. Herriot carried through only the second in London—the one relating to isolated action. "For such action," he told the Chamber on August 23, "I made an energetic struggle. I had to fight to prevent the challenging of France's action,

in case she should be obliged to resort to it." As regards the first desideratum, he told the Senate on August 26: "I struggled for a fortnight to maintain the powers of the Reparation Commission, but I found the British and Americans absolutely immovable." He added that if he had not yielded it would have meant the break-up of the Conference. As to the question of the military evacuation of the Ruhr, which he would not at first discuss in London, he was obliged, as he explained to the Chamber on August 22 and 23, to yield to the arguments of the British. They had represented to him that, as France had sent troops to the Ruhr merely to protect the engineers' mission, evacuation was obligatory from the moment that the mission withdrew. He had therefore had to recognize that France's word was pledged.

While it was difficult for M. Herriot, under pressure both from Paris and London, to proceed otherwise than he did, the result was none the less regrettable from the point of view of Franco-German relations. It was to the British rather than the French that the Germans ascribed the advantages which they obtained, seeing that it was the British who extorted them from the French. They therefore see in Great Britain their natural protector against France. On the other hand, the French may bear a grudge against the British for the rebuff inflicted on their Government. This result, doubly injurious to France, would have been avoided if M. Herriot had shown readiness from the first to make to Germany spontaneously the concessions which in the end he was forced to make. Parliamentary considerations, however, made this impossible for him.

As for the question of right, it could not be expected that M. Herriot should recognize the illegality of the occupation of the Ruhr. A private citizen without official responsibility may do so, in the interest of truth and reconciliation. The responsible head of the Government of France could not. For the deserved discredit which would have resulted for

M. Poincaré would also have attached to France, who would have been made responsible for the faithless and lawless policy which he inaugurated in the whole of occupied Germany, as well as for the atrocious proceedings with which he served that policy. Not only that, but M. Herriot would have given Germany the right to demand reparation for all the losses that M. Poincaré's policy had caused her.

There was also another consideration of which M. Herriot had to take account. The Belgian Government had taken part in the occupation of the Ruhr, and in its desire not to separate its policy from that of France it had doubtless allowed itself to be carried further by M. Poincaré than it would have wished. Consideration was therefore due to it which was not due to M. Poincaré. To recognize the illegality of the occupation of the Ruhr would have been a disloyalty to the Belgian Government and to Belgium herself.

If M. Herriot could not recognize the illegality of this occupation, was it necessary for him to proclaim its legality as emphatically as he did in his letter to the German Chancellor? It was not absolutely necessary, unless he wanted thereby to justify the prolongation of the occupation for another year. This prolongation, logically indefensible, was due to the necessity of appeasing those who were opposed to any evacuation at all. The *Ere Nouvelle* recognized the illegality of the occupation in its editorial of August 18. On the following day it published an article by M. Victor Basch, in which this illegality was again acknowledged, and the solution adopted was attacked as follows :

Either the occupation is legal, just, and effective—in which case it should have been maintained, not for a year, but indefinitely, as our nationalists demanded—or else it is illegal, unjust, and sterile, in which case, when the conditions laid down by the experts were fulfilled, it should cease with the economic occupation.

A judicial summing up, but one which took account only of logic, and not of the contingencies of Parliamentary politics.

In short, if M. Herriot did not do all that might have been desired, he did what he could. He resorted to a compromise, rather than do nothing at all and leave matters in the critical state into which M. Poincaré had got them.

As to Mr. MacDonald, his attitude was inspired by the present British policy of trying to maintain good relations with France, while protecting Germany against a French policy which would tend unduly to humble her. He, too, realized that he had reached a point at which he could not hope for further concessions from M. Herriot. And like his French colleague he resigned himself to a compromise, rather than see the London Conference break down.

Lastly, Germany also resigned herself to a compromise. She could not hope to obtain more from France, even with the good offices of Great Britain. She thus had the choice between the maintenance of existing conditions, which would without doubt have been aggravated, and the acceptance of the Dawes plan. As we have seen, this plan involved real advantages for her. If she had rejected it, not only would she have renounced those advantages, but her economic situation would have become worse, and she would have turned world opinion against her.

Nevertheless, she still had reasons for apprehension. A first possible eventuality was that, without any question of lack of goodwill on her part, the application of the Dawes plan might encounter difficulties. There were clear signs that in that case France would revert to Poincarist methods. The *Temps* of August 12 made that plain. France "would secure for herself justice as she understood it," if a fair trial of the Dawes plan proved fruitless. Germany could not be considered as having freed herself "by simply handing over debentures to the Trust," whether they could be placed or not.

In the Senate on August 26, M. Poincaré himself said :

In practice arbitral procedure means the abandonment of all certification of default. Suppose that, in

a few years' time, France finds herself unable to get Germany's defaults certified. Will she not be obliged to have recourse to common law (*droit commun*) in order to enforce the execution of the Treaty of Versailles?

As to "common law," everyone knew the use that could be made of this, since M. Briand had used it as a pretext for occupying Düsseldorf, Duisburg, and Ruhrort. Thus it was conceivable that in certain eventualities or under certain influences the Ruhr adventure might at some future date be renewed.

As regards the periods for evacuation, M. Herriot not only admitted the argument of his predecessors; he added that Germany's obligations in that connexion included effective disarmament. As it will always be possible for men who have not M. Herriot's straightforwardness to consider Germany's disarmament as insufficient, it was conceivable that such men might use this pretext to prolong the occupation of German territory indefinitely.

Since, apart from the question of reparations—the only one touched on by the London Agreement—all the injustices and dangers of the Treaty of Versailles continued to exist for Germany, the two following questions arose: Had Germany, after this Agreement, no longer the reason which she might have had previously for regarding war as the only way out? If she still had reason to look only to war, could her former enemies hope that she would be incapable of preparing for war?

CHAPTER VIII

THE NEW EUROPE AND FRANCE

i

LEGEND AND REALITY

DURING the war the Governments of the belligerent countries, especially in the Entente camp, thought fit to develop a legend regarding the character of the war. To any thinking person the war differed from earlier ones only in its scale. It was being waged for material interests of a political or economic order between countries whose interests conflicted. The belligerent countries were grouped in two camps—the Entente and the Alliance of the Central Empires—according to where their interests lay. In view, however, of the immense sacrifices demanded from their peoples and of the long continuance of the war, it was considered by the Governments, especially in the Entente camp, that it was not enough to talk only of material interests. The endeavour was therefore made to make the peoples believe that they were struggling and suffering and making their immense sacrifices for ideals. Their task was the defence of liberty and democracy, of civilization itself, against the Powers of Darkness which had attempted to destroy all these. This alleged ideal and non-material character of the war waged by the Entente was summed up in the phrase “The War for the Right.” It was in order to conduct this more or less holy war that France found grouped around her a multitude of allies filled with her own ideal and resolved to defend it with her.

This travesty of the truth may have served its purpose during the war in keeping alive popular enthusiasm and the spirit of resistance and sacrifice. But its continuation after

the war brought nothing but difficulties and dangers. Its concealment of the fact that now, as in the past, peoples only become and remain allies or enemies because their interests harmonize or clash was liable to prevent a realization of the future groupings of Powers. For it could not be supposed that among the belligerents in the world war there would be some who would suddenly abandon their ideal. Moreover, where old alliances had been broken off the continuance of the legend could only keep alive the rancour between the ex-Allies. Peoples are less ready to forgive the betrayal of a common ideal than a separation because of a divergence of interests.

Since, then, it is the identity or conflict of material interests, political or economic, which associates or divides peoples, it is on this solid basis that the situation of France in the post-war world should be studied.

It is certainly regrettable that international relations should be governed by such realist and non-ideal considerations. It is to be hoped that some day this will change and that ideals will take the place of interests. But it is no preparation for future good to deny present evil.

The post-war situation will be studied here in the first place independently of the Treaty of Locarno; that is to say, as it existed up to October, 1925. The modifications which may have been effected by that Treaty will be examined later.

ii

POSSIBILITIES OF WAR IN THE NEW EUROPE

In view of the situation created by the treaties which brought the world war to an end, it is possible to conceive the emergence of fresh wars from the peace conditions themselves. States intolerably burdened by these treaties may be driven to emancipate themselves from them by means of a war which they will represent as one, not of revenge, but of liberation. On the other hand, victor States may feel

menaced with the prospect of such a war of liberation, and may be tempted to forestall it by what they will regard as a preventive war, aimed at crushing their ex-enemies before they have had time to recover. It is possible also to imagine a war between States which were allied during the world war, but whose interests have diverged and come into conflict with one another. In addition to these three sorts of wars, there may, of course, be possible combinations between them.

The first type, a war of liberation from burdens and restraints imposed, is conceived especially in connection with Germany. There are not a few people, especially among the older parties, who reason on the lines mentioned by the late E. D. Morel in a speech at Glasgow on December 21, 1919, in which he referred as follows to the Treaty of Versailles :

Before this Treaty it was a monstrous error to claim, as the apologists of war claimed, that war was a biological necessity, an inexorable factor in the life of States.

If this Treaty remains and is applied in its entirety, this monstrous error will have been converted, as Mr. Norman Angell says, into a monstrous truth, and war will have become, for great portions of the human race, the only means of escape from economic servitude and famine.

It will be interesting to place alongside these words the statements which M. Delcassé made shortly before his death to M. Léon Garibaldi, editor of the *Eclaireur de Nice*, and which the *Matin* reproduced on February 25, 1923.

I did not vote (said M. Delcassé) for the Treaty of Versailles because it did not guarantee the future for us. It is absurd to try and impose on a nation of sixty millions a tribute to be paid to another nation during forty-four years. It is precisely as if one wished to compel that nation to go to war again to liberate its next generation from a vassalage of which they will never comprehend the origin. In politics things must be simple. After this war we needed a treaty giving us (1) reparations, (2) security.

In former times the vanquished paid up at once, he paid over his gold to the victor, or else the latter took his lands; and when the vanquished had been the aggressor this was the application of rough justice.

The Treaty of Versailles has not given us reparation, for Germany will never pay us tribute for forty-four years, nor for twenty, nor for ten. Germany should have been required to make payment within a short period. At the Armistice the German banks should have been seized. Instead of that chimeras have been put on paper.

When he said, "It is precisely as if one wished to compel that nation to go to war again to liberate its next generation from vassalage," M. Delcassé expressed the same idea as Mr. Morel.

Germany might be induced to undertake a fresh war by the desire to safeguard her national unity. The difficulty which she may find in paying the reparations imposed on her by the Treaty may result, under the terms of the Treaty itself, in a prolongation of the occupation of the left bank of the Rhine until Germany may despair of its ever ending. Moreover, we have seen that there is a school of politicians and publicists in France who claim that the failure of Great Britain and America to ratify the Franco-British and Franco-American guarantee pacts gives France the right to prolong indefinitely her occupation of the left bank, and it is possible that this point of view may prevail in the end. If so, Germany may have reason to fear for her national unity in the west, and this consideration may reinforce economic considerations in leading her to accept the idea of war.

One learns from an article which M. Poincaré contributed to the *Temps* of September 12, 1921, that in the course of the peace negotiations Mr. Lloyd George described the occupation of the Rhineland for an indeterminate period as "a serious provocation to the renewal of tension and even of war in Europe."

With what forces for defence or aggression would a new war find Germany? On June 24, 1919, the pro-Entente and Francophil *Journal de Genève* gave the following judgment on the Treaty of Peace, which was then about to be signed:

The fundamental mistake made in this Treaty has been to compromise between two irreconcilable men-

talities. The peace of Europe could have been assured by the final abasement of Germany. But this would have required the crushing of this people of seventy millions to a degree which made it impossible for them to rise again. Peace could also have been assured by the simple force of justice, but it would have been necessary then to humour Germany to the point of leaving her no possible sense of grievance. M. Clemenceau has prevented Mr. Wilson from showing sufficient generosity for peace to be morally assured; Mr. Wilson in turn prevented M. Clemenceau from showing sufficient severity to assure peace by material means. The result, as might have been foreseen, is a régime which does not contain intrinsic guarantees of endurance.

This particularly judicious summing up might be expressed in the formula "Too much or not enough." Not enough; that is to say, the Treaty has left Germany with a virtual or potential force which she may transform later into a real force, either by re-arming herself as Prussia did after Jena, or by being re-armed by another State which had become her ally, an eventuality which Mr. Lloyd George indicated as possible when he presented the Treaty of Versailles to the House of Commons.

Other wars might emerge from the difficulties created by the Peace Treaty itself. As long ago as April 21, 1919, the *Temps* wrote: "The nearer peace approaches, the more clearly one may distinguish the inevitable germs of war which it contains." A few days later, in the *Figaro* of April 29, M. Hanotaux wrote: "The peace that is being manœuvred towards us secretes war at its side." And he passed in review the open or ill-settled questions from which war might arise.

One of the worst germs of war contained in the Treaties of Peace is the violation of the right of peoples to dispose of themselves. The new States set up by the Treaties comprise, as we saw above, a large number of hostile national minorities, who may be tempted to rise and shake off the foreign

domination imposed on them. They may then be assisted by their racial brethren in neighbouring States, and a general mêlée would result. This danger of war has been vividly exposed by Professor Guglielmo Ferrero in his book *La Tragedia della Pace* (Milan : Ed. Athena, 1923).

iii

FRANCE'S MORAL AND DIPLOMATIC ISOLATION

Alliances between States are based on community of interest and conflicts on opposition of interests; there can be no disputing that principle, and on that basis one is bound to conclude that, should another war come, France would not necessarily have with her her great allies of the world war, and that she might even have some of them against her. People still talk of the "Allies" and the "Entente," but this is a fiction which no longer corresponds with realities. The Allies are unable even to agree sufficiently to carry into execution the conditions of the Treaty. They are plainly following divergent paths, their interests being no longer the same.

Russia was Austria-Hungary's enemy and not Germany's. Tsarist Russia, the Pan-Slav Power, saw in Austria-Hungary a Power which not only oppressed the Slavs within its own frontiers, but dreamed of oppressing those of the Balkans and of replacing Russian influence among them by its own. Between Russia and Germany there was no antagonism. But as Germany was allied to Austria-Hungary, Russia had perforce become her enemy, and she had accordingly drawn closer to France and concluded an alliance with her. "Part from Austria-Hungary, and we will part from France," a Russian diplomat is said to have declared to a German diplomat, and the tale rings true. Now that Austria-Hungary no longer exists and that the aspirations of the Slavs of the former Dual Monarchy and of those of the Balkans have been realized, there is no longer any reason

why Russia and Germany should be enemies—they no longer have even a common frontier—and there is thus no longer any reason why Russia should be allied to France. Moreover, the restoration of Poland at the expense of Russia and Germany has created a community of interests between them.

Russia might therefore be the Power which will re-arm Germany and enter into alliance with her against France.

An alliance between Russia and France would now only be comprehensible if their aim were to offer joint opposition to Great Britain in the East—a reversal of the Crimean War. But this combination seems unlikely. It would, moreover, bring the danger of war between Great Britain and France, as the Franco-Russian alliance created the danger of war between France and Germany.

There is thus no longer any apparent reason why Russia and France should be allies. On the other hand, it appears both natural and possible that Russia and Germany should conclude an alliance directed against Poland and France.

An alliance with France no longer has the value which it formerly had for Great Britain.

On the Continent there were two Powers opposed to Great Britain—France, her ancient rival, and Germany, a new rival, both of them naval and colonial Powers. Great Britain could gain the support of either of them against the other. At first she had the idea of gaining Germany's support against France, France having embarked on a very enterprising colonial policy, and the colonial party in France making no secret of its anti-British tendency. But Germany showed very little inclination for this combination, having no belief in the possibility of an Anglo-French rapprochement, still less an Anglo-Russian one. In the end Great Britain entered into alliance with France against Germany, which was a step in accordance with her normal policy, since Germany was the more powerful and formidable of the two rivals.

To-day Germany no longer exists as a rival of Great

Britain; that is to say, as a naval and colonial Power. It is impossible for her clandestinely to build up a navy again, and still more so for her to recapture her colonies.

On February 4, 1922, the *Temps* wrote :

The German ocean-going fleet no longer exists. It lies at the bottom of Scapa Flow, or serves as target for the experimental shells and torpedoes of the Entente. Great Britain has thus no longer anything to fear from Germany.

This is perfectly true. On the other hand, France remains a rival of Great Britain, more powerful and more enterprising, in consequence of her victory, than she was before the Entente Cordiale.

In a speech which he intended to make in the Senate, and which the *Revue des Deux Mondes* published on June 15, 1922, M. Paul Deschanel wrote :

Great Britain's traditional policy has always been to try to maintain equilibrium on the Continent, and therefore to support the weaker against the stronger, the vanquished against the victor.

This is only partially true. It is true that Great Britain's principle is "to maintain equilibrium on the Continent." But this only obliges her "to support the vanquished against the victor" if the victor tries to upset the equilibrium by completely crushing the vanquished—as seems to have been the tendency of French policy since the conclusion of peace.

It is thus unlikely that in a fresh European war France would again find Great Britain at her side. It is possible that she might find Great Britain against her, if she were pursuing a policy tending to destroy Germany and to establish on the Continent her own unchallenged hegemony. In such a war Great Britain would undoubtedly be allied with Germany and Italy.

Italy has no further need of a Franco-Italian alliance. Even after the union of Rome with the Kingdom, Italy did not regard her unity as completed. She had a political pro-

gramme comprising two sections—one to be realized in the east, concerned especially with Trieste and the Trentino, and the other in the west, a programme of which Italians considered that the French occupation of Tunis had increased the importance. The first part of her programme was calculated to set Italy in opposition to Austria-Hungary, and the second to France. Before the Entente Cordiale the second part seemed easier of achievement than the first, since Austria-Hungary was allied to Germany, and a war against her would in consequence have been a very dangerous undertaking. Undoubtedly that is why Italy entered the Austro-German alliance, all the more since she was haunted by the fear that France would raise the "Roman question." As, however, it is an axiom of Italian policy that Italy must take no part in any war against Great Britain, she gradually came closer to the Anglo-French grouping. It may be that she would have taken sides against France in the world war if Great Britain had not ranged herself alongside France.

Now that Italy has realized the eastern section of her programme, she would have no further reason to remain an ally of France, even if she had renounced the realization of her western programme. If she had not renounced it, that would be one reason more for entering a combination directed against France.

It would be a mistake to count on Italo-German antagonism arising out of the case of the German inhabitants of South Tirol (Alto Adige). Even if Austria were to unite with Germany, the Greater Germany would certainly not take the enormously imprudent step of alienating Italy for the sake of a question which after all is not of great importance. She would be all the less likely to do so now that Italy, having reconquered her natural Alpine frontier, is virtually impregnable against attack from the north.

It is thus inconceivable that Italy should take the side of France in a new war. If Great Britain took France's part, Italy would almost certainly remain neutral. If Great

Britain remained neutral, Italy might hesitate between neutrality and taking part against France. If Great Britain sided against France, Italy would beyond doubt do the same.

Italy's pro-British orientation is growing continually more marked, in spite of appearances.

Nor does there seem any probability of the United States again intervening in France's favour.

The Americans placed more faith in the legend of the "War for the Right" than any other of the belligerent peoples in the Entente camp. All the greater was their disillusionment when, in their case as in others, the reality destroyed the legend. They saw their European allies emerge from the war with rich booty, while their own hands were empty, and they had the impression of having played the part of dupes. So much for the popular impression. As to the politicians, they have no reason to combat this view. For them there can no longer be any question of a German peril. Consequently they are unconcerned in the differences born of the peace which have arisen between victors and vanquished in the Old World.

Nor is there any reason to suppose that a new war would find Japan at France's side. Japan's ambition is to eliminate from the Far East the European Powers which have acquired territorial possessions there. Germany is eliminated, and can no longer dream of securing a foothold in the Far East; there is, therefore, no reason for Japan to regard her as a potential enemy. The importance of the British and French possessions in the Far East is calculated to be more irritating to Japan than was Germany's foothold at Kiaochow. Had Japan not been Great Britain's ally when the war broke out, her effort at elimination might have begun with Great Britain and France instead of Germany.

What would be likely to be the parts played in a new war by Turkey, Greece, and Spain? Of these three Mediterranean countries, Turkey was an enemy of France during the war; Greece took up a position intermediate between

neutrality and co-operation; and Spain remained entirely neutral. In future Turkey will be on Russia's side and Greece on Great Britain's. Spain is France's rival in Morocco, and has no reason to support her policy in général.

There has accordingly been general agreement in France as to the necessity of finding a new system of alliances in replacement of the old. On January 8, 1920, the party of the "New Democracy" passed a resolution, published in its paper, *La Démocratie Nouvelle*, that France can no longer count on her great allies of the world war, and must look for support in future to Belgium, Poland, Czechoslovakia, Roumania, Jugoslavia, and Greece. The question arises, therefore, whether these countries are natural allies of France, and, if so, what would be the value of their alliance.

At first sight it would seem that there could be no doubt in regard to Belgium, so intimately were she and France brought together by the world war. But, allowing for the relaxation in course of time of this sentimental bond, there is no reason why Belgium should act differently from other countries; should, that is, do anything but consult her interests and obligations.

The Franco-Belgian Treaty only envisages "unprovoked" aggression by Germany, Belgium being free to judge for herself whether or not there has been provocation. A Franco-German war is conceivable in which Belgium might be free to abstain from intervention. The question would then be whether intervention would be in her interest. The decision as to this might depend on the importance of the part which the Flemings were able to play in determining the policy of the country. And it is well known that the Flemish population is increasing more rapidly than the Walloons.

In the new war, would Belgium feel sufficiently threatened by Germany to take part without being obliged to do so? It is not certain that she would. The world war taught this lesson—that if Germany again menaced Belgium she would force Great Britain to range herself alongside Germany's

enemies. It seems clear, therefore, that in a new war Germany would not again attack Belgium, unless she were certain that she would have Great Britain against her in any case. Even then she might hesitate to embroil herself with an adversary who is much stronger to-day than in 1914. Such is the situation between Germany and Belgium.

To sum up, it does not seem likely that Belgium would side against France in a new war unless France were to imitate Germany's action of 1914. Belgium might remain neutral, and would almost certainly be neutral in a war between Great Britain and France. It would be more easy for her to intervene if Great Britain were on France's side. Thus for Belgium, as for other countries which were members of the Entente, Great Britain's attitude might be one of the determining factors.

As regards Poland, Czechoslovakia, Roumania, and Jugoslavia, the efficacy of their alliance might be attenuated by various circumstances.

Each of these countries represents on a small scale what Austria-Hungary did on a larger one—a Macedonia of disparate elements hostile to one another. It will not be forgotten how these conditions paralyzed Austria-Hungary before and during the war. It was even possible to contend that the majority of the inhabitants of Austria-Hungary wanted defeat; they were neither Germans nor Magyars, but were subjected to the yoke of the Germans of Austria or the Magyars of Hungary. Much the same situation might arise in the States formed or aggrandized since the war. Moreover, any of these States might on entering a war find itself paralyzed by the entry of others on the opposite side. Poland might find Russia and Lithuania against her; Czechoslovakia might find Hungary and Austria against her; Roumania, Russia and Bulgaria; Jugoslavia, Bulgaria and Greece.

Thus there is reason to doubt whether France would be likely to find in her alliances with secondary States a suf-

ficient substitute for the system of alliances to which the Peace settlement automatically put an end.

It makes little difference to its effect whether current opinion is well founded or not; in either case it becomes a political factor which has to be reckoned with. Since the war there has developed a growing hostility towards France. The general feeling may be summed up as a belief that she is imitating pre-war Germany and has become the most militarist and the most imperialist of countries. It is this feeling which has produced what may be called the moral isolation of France.

On November 21, 1921, at the Washington Conference, M. Briand, speaking of the impossibility of disarmament for France, said :

Were it possible in other countries to hope that France may leave the Conference with an indirect stigma, were it possible to suppose that she would be alone in rejecting disarmament, it would be a terrible blow for her; but I am sure that after hearing the reasons given and noting the difficulties in her way you will be unanimously of the opinion that in the existing circumstances France can adopt no other attitude.

The principal explanation of France's moral isolation is that M. Briand's expectation was not realized. The world saw that France alone was unwilling to disarm, and from this there resulted the "terrible blow" which the French Premier feared.

It is natural that this unfavourable opinion should have been accentuated by the occupation of the Ruhr and the events, some of them tragic, which ensued. So much for the reproach of militarism and imperialism.

When it is remembered that during the war the moral factor played a considerable part in France's favour, it will be plain that, from this point of view, her position in a new war would be precarious.

iv

BETWEEN TWO "CATASTROPHIC" POLICIES

What would be France's position in face of a new war? Were it simply another Franco-German war she could have confidence, since she maintained her army and Germany no longer has one. But as we have seen, a war is conceivable in which Germany might have allies who had re-armed her.

France suffered more from the war, both in population and in material resources, than any other Entente country, and her strength continues to be drained by depopulation. Nor is it certain that in a new war she would find the same support from her colonies as in 1914-1918. A Toulouse paper, *Le Télégramme*, published on August 11, 1922, contained statements by M. Lucien Saint, French Resident-General in Tunisia, which are worth study. M. Saint recognized the services which the Tunisians rendered to France during the world war. But he found that they had returned from it in disillusionment; they had believed in Mr. Wilson's "dangerous Utopias," especially the right of peoples to dispose of themselves, and they had discovered that there was no intention of putting them into practice. What M. Saint said of the Tunisians might be said of all the natives under French rule if France fails to grant them the liberties for which they supposed that they were fighting. This policy, however, would be decidedly contrary to French colonial traditions.

Even if her colonial contingents were as well disposed towards her as in 1914-1918, would they be able to come to her aid as easily? It would be doubtful in a war in which France had Great Britain or other naval Powers against her. For the seas would no longer be free to her, and the transport of these troops might be rendered difficult. Yet the French military authorities count on the support of colonial troops in any new war, even more than in 1914-1918.

The conclusion from the foregoing is that in the event of

a new war the situation of France would not be assured either diplomatically, militarily, or morally.

On one occasion M. Briand, speaking as Prime Minister, defined two policies between which France could choose. One, that which he was following, consisted in maintaining the Entente and acting in concert with the Allies, particularly in the question of the reparations to be obtained from Germany. The other, which he qualified as "catastrophic," consisted in emancipating France from Allied influence and acting in isolation in regard to Germany. After M. Briand's fall this second policy was adopted by M. Poincaré.

On closer investigation one may well ask whether these two policies are not both "catastrophic," the former in the long run, the latter more immediately. To allow the fiction of the Entente to be perpetuated, and to continue to follow the policy begun by the Treaty of Versailles—the policy of too much or not enough—is to allow a state of things to be produced in Europe which will end sooner or later in a coalition against France. On the other hand, to turn "not enough" or "too much" into "enough," to make a frank and open break with the Allies, is to risk precipitating this coalition, of which the elements are already distinguishable.

V

THE LOCARNO TREATY¹

Has this situation been modified to France's advantage by the Treaty of Mutual Guarantee concluded at Locarno on October 16, 1925? It is difficult to say that it has.

¹ This section was written before the extraordinary meeting of the League of Nations Assembly and the meeting of the Council at Geneva in March, 1926. The task of Assembly and Council on this occasion was to admit Germany into the League. Only after such admission was the Treaty to enter into force and assume its final shape. Owing to complications due to the method of working of the League and to Brazil's opposition to the admission of Germany to permanent membership of the Council, the Assembly and Council were obliged to separate

As we saw, M. Poincaré tried to find a remedy for the danger resulting to France from the Treaty of Versailles by violating both the Treaty and current international law. His hope was to achieve in this way the original purpose of French policy, the plan which France's allies had defeated. His action brought him into conflict with Great Britain, who had no desire to let France become over-powerful through the destruction of Germany. His policy was rejected at the elections of May 11, 1924. But although M. Herriot undid in some measure what M. Poincaré had done, he admitted its legality. It followed that M. Poincaré's policy could be returned to at a later date by some Government representing Poincarist tendencies. France thus still had means of action against Germany in reserve, illegal means carrying certain risks, but means which might be efficacious.

The attentive reader of the Locarno Treaty will be brought to the conviction that the purpose of the Treaty is, in the spirit of the British Government, to whose suggestion it was due, to prevent a return to the Poincarist policy, and consequently to deprive France of the means of action against Germany offered by this policy.

with nothing done, postponing until September their final vote as to Germany's admission. Consequently the Locarno Pact remained in suspense.

A declaration was, however, published at Geneva by the signatory Governments affirming their desire to uphold the Pact. Moreover, the Assembly had passed a resolution equivalent to the moral admission of Germany. Finally, at Paris, and especially at London and Berlin, the Governments secured Parliamentary approval of their attitude. It seemed clear, therefore, that if nothing unforeseen happened the Locarno Pact would be in no danger unless it proved impossible to surmount the difficulties of procedure represented by the fact that the veto of a single country had been able to prevent Germany's admission to the Council as a permanent member.

With Germany's admission into the League of Nations in September, 1926, the Locarno Treaty finally entered into force.

Two examples will suffice to illustrate this purpose of the Treaty. The contracting parties undertake (Article 2) "that they will in no case attack or invade each other." But the military occupation of the Ruhr was justly regarded by the British Government as an "invasion." Consequently if France resorted again to an occupation of this sort, another "invasion," it would be Great Britain's duty to protect Germany from France, and Germany in resisting would be acting in her own legitimate defence. Again (Article 3):

Any question with regard to which the parties are in conflict as to their respective rights shall be submitted to judicial decision, and the parties undertake to comply with such decision.

But the whole policy of MM. Briand and Poincaré consisted in claiming for the present and the future pretended "rights" which impartial judges would undoubtedly have held to be imaginary. Still more so would they hold them to be so after the Treaty if France's rulers were again to invoke and act on such "rights."

In theory Great Britain and Italy undertake without distinction to defend France against Germany or Germany against France. But in point of fact the Treaty of Locarno is more likely to be quoted in Germany's defence against France than inversely. This seems natural when it is remembered that there is now a community of interest between Great Britain, Germany, and Italy, which no longer exists between Great Britain, France, and Italy.

It would be a mistake to judge German-Italian relations by the controversy between Herr Stresemann and Signor Mussolini in February, 1926, which attracted so much attention. That controversy was rather the result of an explosion of Signor Mussolini's impulsive temperament, a manifestation of his very novel style of diplomacy, than a proof of any antagonism between Germany and Italy. Moreover, as Italy has no choice but to act in common with

Great Britain, it would be difficult for her to turn against Great Britain's protégés, the Germans.

It may thus be supposed that any protection given to Germany against France would be more real and more efficacious, both politically and militarily, than any given to France against Germany. Politically, since Great Britain is more closely interested in refloating Germany than in increasing France's power. Militarily, because Great Britain can act much more effectively against France than against Germany. Germany no longer has either a navy or colonies, and her great commercial ports could only be attacked with difficulty. Great Britain thus no longer has a hold over her through her navy, all the more since the hunger blockade, which remains illegal as in the past, might prove less easy to put into effect than during the world war. France, on the contrary, has a colonial empire through which Great Britain could bring pressure to bear on her. Great Britain could also cut her overseas communications and so deprive her of the assistance of her colonial troops. In regard to land forces there is little probability that the British people would again consent to the imposition of conscription, and still less probability that the Dominions would again make common cause with Great Britain, who could thus bring only very small forces to bear against Germany.

On the other hand, a direct German attack on France is unlikely to occur. What is more likely is that war may break out between Germany and Poland, or between Poland and Russia, and that France may thus be obliged to attack Germany. In that case France, being the attacking party, would not enjoy the benefit of the Treaty.

Another possibility must be taken into account. So many treaties have been violated in the past that there is no reason why the Western Pact (the Treaty of Mutual Guarantee) and the other Locarno Treaties should be any more respected in years to come. Finally, it is possible that the Treaty of Mutual Guarantee may be only of limited

duration. It will come to an end if at least two-thirds of the Council of the League of Nations decide that the League "assures sufficient protection to the high contracting parties." Bearing in mind that the members of the Council do not represent perfect justice or truth but the interests of their own countries, they are likely to bring the Treaty to an end on the day on which their Governments consider that that would be in their interests. France might thus be deprived of the guarantees which the Treaty assures her at the very moment when she most needed them, the moment when Germany had recovered, thanks to the period of security assured to her by the Treaty.

It appears from the foregoing that the Locarno Treaty represents a success for Germany, and consequently for Great Britain, in so far as it prevents France from establishing her hegemony over the Continent by crushing Germany. That means that the Treaty does not represent a success for France, whose situation is not improved by it.

The capital defect in the Treaty is its claim to maintain the Treaties of Peace "intact," particularly the Treaties of Versailles and Saint-Germain. As we saw above, there is not the slightest hope that the Germans and Austrians will ever accept these treaties, which were imposed on them by disingenuous means.

Thus the Locarno Treaty leaves to the vanquished all their resentment against France, while it deprives France of the means, illegal but conceivably efficacious, with which the policy of MM. Briand and Poincaré had provided her for defence against this resentment.

One is forced, therefore, to the conclusion that no pacification is possible on the basis of the Treaties of Peace as they stand, and that since all the world wants peace there is nothing for it but to modify these treaties.

vi

FOR A "CLEAN PEACE"

This point must be insisted on—that it is truer for France than for any other of the countries which belonged to the Entente that interest and honour alike call for a revision of this unclean Peace.

There are two possible ways of modifying the conditions of peace. The Treaties can be revised in the formal way in which they were concluded. Mr. Wilson himself, speaking on January 25, 1919, at the plenary sitting of the Peace Conference, admitted the possibility of revision when he spoke of the "complicated problems" which it had to solve and went on to say, "There are many questions connected with the present settlement which we feel cannot ultimately be worked out here, and that may require subsequent consideration, subsequent alteration even to some degree." Subsequently many voices have been raised in favour of revision of the Treaties by means of diplomacy. This is much the most regular way of proceeding, but it is, perhaps, not the easiest. For it implies the formal consent of the victor States, which might fear, in ill-judged *amour-propre*, the semblance of giving way, of "capitulating" to the vanquished. But there is another possible way of proceeding. A large number of treaties, even of the greatest importance and heralded with the utmost solemnity—the Treaties of Vienna, of Paris, of Berlin—have, so to speak, naturally weathered, have become obsolete without ever being either denounced or revised. Certain of their signatories have committed acts manifestly contravening them; other signatories have then protested more or less violently, but after making sufficient diplomatic fuss to save their face they have accepted the accomplished fact. This is a much simpler method than that of reassembling around a green table for endless discussions. States have disappeared in this way, such as the Republic of Cracow and the Transvaal Republic. Others have been

born, as Belgium. Wide regions, like Eastern Roumelia or Bosnia and Herzegovina, have been united or have amalgamated with neighbouring States. Russia was to have received a war indemnity from Turkey; she did not claim it. Many other things of the same sort have been experienced, and important treaties have passed unnoticed virtually out of existence. It is a great lesson.

Nevertheless, it would be preferable to proceed regularly to the revision of the Treaties. This should be no impossible matter; the ground has already been prepared and opinion is already largely won over to the idea. Mr. Keynes established the principle of revision in his first book. In the second, *The Revision of the Treaty*, he entered upon the discussion of the practical side of the question, coming to the conclusion that the German debt must be greatly reduced. Mr. Asquith, the Liberal statesman who said that the Peace of Versailles was not a "clean" peace, has also spoken in favour of revision. Speaking in London on February 19, 1921, he said that—

Wise statesmanship would take into consideration not what was morally and ethically due but what it was prudent for the Allies to exact. . . . From a practical point of view the new arrangement sanctioned in Paris was wholly incapable of being carried into effect.

He might even have said that morally Germany did not owe all that was being demanded of her, since a great part of it was inconsistent with the Pact of November 5, 1918. On November 25, 1921, at Newcastle-on-Tyne, Mr. Asquith returned to the question and indicated the two following bases of revision—the complete modification of the Reparation clauses, and the cancellation of Interallied debts. Signor Nitti, the Italian ex-Premier, in his remarkable work, *Peaceless Europe*, also pronounced in favour of revision, especially as regards Reparations.

A very important fact is the attitude taken up by the

influential Labour Party in Great Britain. On several occasions it has attacked the Treaty of Versailles. On February 17, 1921, jointly with the Parliamentary Committee of the Trades Union Congress, it adopted a manifesto which declared that the Peace conditions had violated the promises made, and that only a "legal casuist" could find any authority, in the Fourteen Points for the obligation imposed on Germany to pay war pensions and allowances.

When this party came into power, with Mr. Ramsay MacDonald as Prime Minister, Mr. Arthur Henderson, Home Secretary, made a remarkable speech at Burnley on February 23, 1924, in the course of which he recognised that—

The Treaty was undoubtedly opposed to the principles of the pre-Armistice agreement upon which Germany grounded her arms.

Mr. MacDonald himself, speaking at York on April 19, 1924, recognized that the Allies were largely responsible for the recrudescence of German nationalism, which showed itself a few day later, on May 4, at the Reichstag elections.

The Continental parties representing similar tendencies to the British Labour Party have virtually everywhere taken the same line. Finally, the business world, in Great Britain, America and elsewhere, has also recognized the necessity in the general interest of revising the Peace conditions.

It is, therefore, perfectly true to say that opinion is already prepared for a regular revision of the Treaties. On January 31, 1922, the Cambridge Union Society passed by 149 votes to 80 a resolution deploring France's attitude, and its President, Mr. Watson, expressed his opinion that "it must be recognized that the Treaty of Versailles is null and void." This view is certainly gaining ground, and it may be claimed that it fairly sums up the general view to-day with regard to the Peace settlement of 1919.

Whatever method of procedure be adopted, whether regular revision by diplomatic means or what might be

called spontaneous revision, it would be a great mistake on the part of the conquered States to claim to be exonerated from all the conditions of peace imposed on them by the Treaties over and above what was fair and in accordance with the engagements entered into with them. If they put forward this claim they would march to certain defeat; for there are matters on which it would be very difficult to go back even when they represent an injustice or a departure from common sense.

For instance, it would be difficult to revise the allocations of European or colonial territories, except by way of exchange or compensation with the consent of all concerned. On the other hand, it would be altogether appropriate and very easy to put an end to the monstrous, and as events have shown, the quite useless immorality of prohibiting Austro-German union. For this would not involve the loss of an inch of territory by any of the victor States, and would be a satisfaction to Austria if she still desired union with Germany, as well as to Germany herself, who would thus find compensation for the territory which she has lost.

The revision of the Peace conditions should tend especially to lighten the economic and financial burdens which they place on the conquered States in breach of the engagements entered into with them, and should also tend to end or modify the inequalities set up in many domains between victors and vanquished.

As regards the economic and financial burdens, in other words "Reparations," the revision to be made must naturally be equitable not only to the vanquished but also to the victors. Clearly, for instance, nothing should be changed in regard to Belgium, the only really innocent victim of the war. Clearly, also, France, who suffered most from the war, should have the right to privileged treatment among her allies to at least the same extent as before.

What would in practice be the best way to proceed to the re-settlement of the Reparation question? This must

be decided by financial and economic specialists. But without being a specialist one may indicate the general principles—one might almost say the moral factors—which should determine the revision of the Peace conditions in the matter of Reparations. The first principle, which should suffice in itself, is that Germany *does not owe* all that is claimed from her, since it represents a violation of the Pact of November 5, 1918. The second principle is that Germany *cannot* pay all that is claimed from her, her incapacity to pay being shown by the fact that the Allies crushed her when they tried to extract from her a debt which she did not owe. The Bankers' Committee declared that nothing could be done to restore her credit so long as she was bent beneath the weight of this debt. Mr. Boyden, the American observer on the Reparation Commission, attributed to the excessive stipulations of the Treaty of Versailles the "defaults" which led ultimately to the occupation of the Ruhr. The third principle which must be kept in view is that the illegal occupation of the Ruhr accentuated the ruin of Germany which the Treaty began.

How, it will be asked, could the victors ask less from the vanquished without injury to themselves? A first method would be by the exercise of economy. The first economy of all would be in military expenditure. France has an enormous military Budget, and it will be admitted that she is spending at least as much on her army as she expects to get from Germany. The comic element in the situation is that she is expending the one to recover the other, since Germany could only dream of a fresh war in order to liberate herself from her debt. What would be said of a private individual who expended in order to recover a debt more than the amount of the debt, without even being sure that he would recover it? That is what France is doing in incurring enormous military expenditure in order to recover what Germany owes her.

In addition to economies on their military Budgets, the

victor States will be able to effect others on their aggregate expenditure.

The withdrawal of the occupying armies from the Rhineland, or at least a substantial reduction in their effective strength, will be a further benefit to the finances of Germany's creditor States. The cost of these armies has to borne by the German Government, and between the Armistice and April 30, 1922, Germany paid under this head 3,828 millions of gold marks (*Temps*, October 7, 1922). This amount could have been paid over to the Allies on Reparation account if it had not been required for paying for the occupying armies.

It has been claimed, especially in France, that the question of Reparations was inseparable from that of Interallied debts, in the sense that the total of Reparations could not be reduced unless these debts were cancelled. Assuming this to be true, attention should have been paid to the question of Interallied debts. I will do so now.

I shall principally consider France, Great Britain, and the United States. It is realized now that the United States and Great Britain do not intend benevolently to renounce payment of France's debts to them. Some way has to be found out of an apparent *impasse*.

There is one way, but I know in advance that in suggesting it I shall scandalize my readers, who will charge me with treason to France and make other pleasant retorts of the same sort. I will begin, therefore, by recalling the example which a man who was not disregardful of the honour or the interests of France—Napoleon I. himself—gave of what could be done to-day. The example he gave was the cession of Louisiana to the United States.

Louisiana was a territory much larger than the State which bears that name to-day, and a French territory by the same right as Canada, which France had lost under the old Monarchy. It might even be said to have been more French

in its population than the colonies which still remain to France in America, and of which the French population or population of French descent represents only a minority of the inhabitants. Yet Napoleon I. did not feel that he was lacking in French feeling in ceding French Louisiana to the United States.

Napoleon did this in order to avert a threatened war between France and the United States. French Louisiana barred their way to the Pacific, to which their destiny called them, and they would probably have fought France in order to overcome this obstacle to their expansion.

Before the world war the suggestion had been made that the Alsace-Lorraine question should be settled by a cession of colonial territory to Germany. M. Lalancé, an Alsatian, deputy for Mulhouse in the Reichstag, came one day to submit to me a plan of this sort. He was unprepared to regard as thinkable either a war of *revanche* or renunciation; his proposal was that Alsace-Lorraine should be bought from Germany by the cession of Madagascar, an island as large as France. M. Gustave Hervé had made a proposal of the same sort. He admitted that Alsace was German, and he would leave it to Germany. But he would buy back from her Lorraine, which was French, by the cession of a colony other than in French Northern Africa. If the idea of the cession of a colony to a former enemy, to buy back Alsace-Lorraine, was accepted then, why should there be a revolt to-day against the idea of ceding a colony to a former ally in order to create in Europe a state of things calculated to prevent a fresh cataclysm which, if France were the sufferer, might lose her Alsace-Lorraine once more? For it is obvious that if Germany would not actually go to war for the recovery of Alsace-Lorraine, she would take it at the end of a war which had turned to her advantage.

There are plenty of precedents which go to show that there is nothing dishonouring in the alienation of part of a colonial domain. Great Britain ceded Heligoland to Ger-

many for compensation in Africa. Spain sold the Carolinas to Germany. Denmark sold her Antilles to the United States. Quite recently a member of the American Congress suggested that the United States might renounce their claim against Great Britain in consideration of a cession of Canadian territory. He would certainly not have made the suggestion if there had been anything in it that could offend Great Britain.

As regards the cancellation of Interallied debts, this is the arrangement that might be suggested. France would cede to the United States one of her colonies, or part of her colonies in America. It would primarily be a question of her possessions in the Antilles. In return, the United States would renounce the whole of their claim against France. To free herself from her debt towards Great Britain, France would cede a colony to the latter.

The British, with their practical sense, would find an arrangement of this sort very natural. It would meet with more opposition in France, where it would be combated by arguments of a sentimental order. To alienate a part of the national soil, to abandon Frenchmen to another country, even a friendly country, would seem to many inconsistent with the national honour. And yet it would be no more than a prejudice which could be met by quoting the precedent of Louisiana.

For the rest, in such a matter the essential question is to whom a colony is being ceded, that is, what will be the fate of the populations ceded, and whether the ceding country will lose by the cession something of its national personality. In France it would be easy to quieten fears on this point by reference to Louisiana, French Canada, or Mauritius.

Consider first the United States. This vast country, peopled from every country in Europe, presents two characters which are only at first sight contradictory. It possesses an extraordinary assimilative power; people from the most various countries quickly become true and loyal

American citizens. On the other hand, Americans are perfectly prepared to see citizens of foreign origin preserve, even for centuries, a sort of moral allegiance towards their country of origin—cultivate its memory, and preserve its language alongside that of the American nation. Anything different would shock Americans and seem unhealthy to them. This explains the existence of the so-called German-Americans, Irish-Americans, Franco-Americans, etc. Each of these categories of citizens represents in some fashion a moral colony of its country of origin within the Union; and it makes its influence felt in favour of its country of origin. To this day New Orleans is partly a French town, in which French is spoken without anyone seeing any objection to it. It may well be argued that the cession of Louisiana to the United States served the French cause in that country, by increasing the importance of the French element in the composition of the American people, and by introducing into that people's intellectual and moral life an element of French culture.

Were French nationals ceded to-day to the United States, they would enjoy the same fate as these ancient French of Louisiana. They would have no reason to complain of becoming American citizens; their affections would continue to be shared between their old and new countries; their influence in their new country would make itself felt in favour of the old one; and finally, their new country would be still more friendly towards the old one through having among its citizens more of the other's nationals.

It might be agreed that the French colonies ceded to the United States should constitute new States in the Union, of which they should become neither "territories" nor colonies nor dependencies. In this way they would enjoy more political liberties than they have at present.

As to the French colonies which France might be inclined to cede to Great Britain, the examples of French Canada and Mauritius show that the same reasoning may be applied to

them as in the case of the United States. French Canada and Mauritius are even more bits of France within the British Empire than is Louisiana a bit of France in the United States, and nothing has ever been done in British quarters to denationalize their French families.

Whatever means may be adopted for the revision of the Treaties, it will have to be preceded by a systematic and persevering campaign in the various Entente countries. The question will have to be dealt with not only in its political, but above all in its moral aspect. It will be useful to let the Entente peoples and especially the French see that revision is in their own interests; but it will not be enough. It will be necessary to make them realize that revision is an obligation of honour, since their rulers imposed these Treaties on the vanquished through a breach of honour, violating the engagements which they had entered into. It will be necessary to make them realize that what is at issue is even more their own moral interest in the face of history than the material interest of the vanquished. *Plaie d'argent n'est pas mortelle*, says a French proverb—one does not die of a wound in the pocket. A scar on one's honour is a much graver thing. It has to be made plain to the victors that it is they who have to rehabilitate themselves through a spontaneous act of reparation.

For this campaign to succeed it will not be enough simply to carry it on in the Press. The question of the Pact of November 5, 1918, will have to be made a Parliamentary issue. What M. Vaillant-Couturier did in the French Chamber in regard to war responsibility will have to be done with regard to the Peace terms. On one occasion Mr. Lloyd George was interrupted in the House of Commons by a member who put the question, "What about the Armistice terms?" This member was one of the men of whom there are already many in Great Britain who are not content to accept an evil action committed in the name of their country.

Mr. Lloyd George, who would have found it very embarrassing to have to answer the question, simply said, "That is not the point." This question put by the British member of Parliament, "What about the Armistice terms?" will have to be taken up and pressed in the various Parliaments in the Entente countries. It will have to be pressed until it is no longer possible for the responsible leaders merely to say "That is not the point." For it is, indeed, just that that is the point.

The work must also be taken up by those organizations which have been formed in several of the Entente countries to work for reconciliation and pacification through truth and justice. It would be well if there were formed over and above these organizations, with the assistance of their members, an Interallied League to work for this and to co-ordinate the work of the rest.

Finally, though the idea might make an anti-militarist smile, I will add that it would be well to associate the soldiers with this campaign. They have the reputation of being poor lawyers and poor politicians; but they also have the reputation of being endowed with a keen sense of honour. When the Armistice was being negotiated and the bases of peace agreed on, they had other things to do than to read the papers. They were at the front, preparing the supreme effort which was to enable the politicians to sign a victor's peace. They thus had no knowledge of the conditions subject to which an Armistice was concluded which put Germany in a position in which it was impossible for her to resume hostilities. Afterwards they had not the leisure to examine closely a question which was deliberately kept out of the light. Consequently the majority of them remained and still remain ignorant of what happened. They have to be informed. When they learn how the politicians tarnished their victory, by making it end with an act incompatible with the honour of a soldier, they will be the first to demand that there shall be reparation.

APPENDIX A

THE FOURTEEN POINTS LAID DOWN IN THE MESSAGE TO CONGRESS CONCERNING THE PROGRAMME OF PEACE OF THE UNITED STATES (JANUARY 8, 1918)

MR. WILSON announced on four different occasions the conditions which, in his view, were required for a just and enduring peace. He thus formulated four series of "Points," beginning with his famous Fourteen Points. The following were these Fourteen Points:

1. Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

2. Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

3. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

4. Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

5. A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the Government whose title is to be determined.

6. The evacuation of all Russian territory and such settlement of all questions affecting Russia as will secure the best and freest co-operation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a

sincere welcome into the society of free nations under institutions of her own choosing, and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their goodwill, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

7. Belgium, the whole world will agree, must be evacuated and restored without any attempt to limit the sovereignty which she enjoys in common with all other free nations. No other single act will serve as this will serve to restore confidence among the nations in the laws which they themselves set and determined for the government of their relations with one another. Without this healing act the whole structure and validity of international law is for ever impaired.

8. All French territory should be freed and the invaded portions restored, and the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine, which has unsettled the peace of the world for nearly fifty years, should be righted, in order that peace may once more be made in the interest of all.

9. A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality.

10. The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.

11. Roumania, Serbia, and Montenegro should be evacuated; occupied territories restored; Serbia accorded free and secure access to the sea; and the relations of the several Balkan States to one another determined by friendly counsel along historically established lines of allegiance and nationality; and international guarantees of the political and economic independence and territorial integrity of the several Balkan States should be entered into.

12. The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but other nationalities which are now under Turkish rule should be assured an undoubted security of life and absolutely unmolested opportunity of autonomous development, and the Dardanelles should be permanently opened as a free passage to the ships and commerce of all nations under international guarantees.

13. An independent Polish State should be erected

which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.

14. A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small States alike.

APPENDIX B

THE FOUR POINTS LAID DOWN IN THE MESSAGE TO CONGRESS REPLYING TO THE GERMAN AND AUSTRIAN DECLARATIONS ON THE SUBJECT OF PEACE (FEBRUARY 11, 1918)

1. Each part of the final settlement must be based upon the essential justice of that particular case and upon such adjustments as are most likely to bring a peace that will be permanent.

2. Peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game, even the great game, now for ever discredited, of the balance of power.

3. Every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned, and not as a part of any mere adjustment or compromise of claims amongst rival States.

4. All well defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the peace of Europe and consequently of the world.

APPENDIX C

THE FOUR POINTS LAID DOWN IN THE SPEECH AT WASHINGTON'S TOMB AT MOUNT VERNON ON JULY 4, 1918

1. The destruction of every arbitrary Power anywhere that can separately, secretly, and of its single choice disturb the peace of the world, or, if it cannot

be presently destroyed, at least its reduction to virtual impotence.

2. The settlement of every question, whether of territory, of sovereignty, of economic arrangement or of political relationship, upon the basis of the free acceptance of the settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.

3. The consent of all nations to be governed in their conduct towards each other by the same principles of honour and of respect for the common law of civilized society that govern the individual citizens of all modern states in their relations with one another, to the end that all promises and covenants may be sacredly observed, no private plots or conspiracies hatched, no selfish injuries wrought with impunity, and a mutual trust established upon the handsome foundation of a mutual respect for right.

4. The establishment of an organization of peace which shall make it certain that the combined power of free nations will check every invasion of right, and serve to make peace and justice the more secure by affording a definite tribunal of opinion to which all must submit and by which every international readjustment that cannot be amicably agreed upon by the peoples directly concerned shall be sanctioned.

APPENDIX D

THE FIVE POINTS LAID DOWN IN THE SPEECH WHICH OPENED
THE CAMPAIGN FOR THE FOURTH LIBERTY LOAN (SEPTEMBER
27, 1918)

In this speech, before formulating his five new Points, Mr. Wilson summarized the problems to be settled by the war in the following passage :

Shall the military power of any nation or group of nations be suffered to determine the fortunes of peoples over whom they have no right to rule except the right of force? Shall strong nations be free to wrong weak nations and make them subject to their purposes and interest? Shall peoples be ruled and dominated even in their own internal affairs by arbitrary and irre-

sponsible force, or by their own will and choice? Shall there be a common standard of right and privilege for all peoples and nations, or shall the strong do as they will and the weak suffer without redress? Shall the assertion of right be haphazard and by casual alliance, or shall there be a common concert to oblige the observance of common rights?

The following were the five new Points :

1. The impartial justice meted out must involve no discrimination between those to whom we wish to be just and those to whom we do not wish to be just. It must be a justice that plays no favourites, and knows no standards but the equal rights of the several peoples concerned.

2. No special or separate interest of any single nation or group of nations can be made the basis of any part of the settlement which is not consistent with the common interest of all.

3. There can be no leagues or alliances or special covenants and understandings within the general and common family of the League of Nations.

4. And more specifically, there can be no special, selfish, economic combinations within the League, and no employment of any form of economic boycott or exclusion except as the power of economic penalty by exclusion from the markets of the world may be vested in the League of Nations itself as a means of discipline and control.

5. All international agreements and treaties of every kind must be made known in their entirety to the rest of the world. Special alliances and economic rivalries and hostilities have been the prolific source in all the modern world of the plans and passions that produce war. It would be an insincere as well as insecure peace that did not exclude them in definite and binding terms.

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